

In fact, it is the civic duty of ALL citizens to hold any public official accountable for any act that doesn't support and defend the Constitution.

By the way, I was informed the blond is a retired member of the Sheriff's clerical staff accompanied by her daughter seated next to her.

For the record, **Angela Sterling** deprived me immediate access to a Citizen Arrest report as required by law. **Steve McCallum** also deprived me public services. Adding insult to injury, Steve ordered me out of the Sheriff's Office, then he called Patrol, falsely claimed I created a disturbance, and requested I be removed from the building. The transcript proves I lawfully exercised my right to immediately access public records for the purpose of petitioning government for redress of grievances.

The reports that I was attempting to access involved **Deputy Jaime Toney's** falsification of case file reports and deprivation of rights under color of law. Significantly during two incidents my interaction with Deputy Toney is ***missing from my home surveillance video, which is very suspicious and suggests some form of hacking or tampering with the video footage that camera should have captured.*** However, my personal audio device captured every word and fully supports all my factual statements. It is every Citizen's right to be free from unreasonable government intrusion into their persons, homes, businesses, and property. EDSO's tampering with my home security system is an unreasonable government intrusion and is in violation of the Fourth Amendment to the national Constitution.

The Sheriff is not above the law. From the appalling indifference and incompetence I have directly experienced from EDSO personnel, it is evident that the Sheriff and the rest of his staff do not want to be contacted, nor do they want to be transparent or held accountable to their oaths by the people they purportedly serve. Instead, the Sheriff has conspired with county staff in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, all of which constitute serious Federal CRIMES. It is evident Sheriff D'Agostini does not take his sacred oaths of office seriously to support and uphold the Constitution, and he will be held accountable for his tyrannical bully tactics against a 3rd generation evangelical senior citizen.

If you have any questions or comments, please make them now at this time.

Madam Clerk: You will receive correspondence to enter into the public record with the 3 affidavits.

Melody Lane

Founder – Compass2Truth

“Resistance to tyranny becomes the Christian and social duty of each individual...Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us.” ~ John Hancock ~

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

Sent: Sunday, November 22, 2020 11:27 PM

To: shiva.frentzen@edcgov.us; john.hidahl@edcgov.us; lori.parlin@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; Vern R Pierson; Sheriff DAgostini

Cc: edc.cob@edcgov.us; 'Donald Ashton'; Tiffany Schmid; Richard Esposito; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: Sheriff D'Agostini refuses due process - BOS censorship

Any act, by any public official, either supports and defends the Constitution, or opposes and violates it. Any obstructive, deceptive enterprise, undertaken by any public official that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy. Furthermore, when a public official has knowledge of wrong doing, but fails to take remedial action, then he/she becomes complicit and liable for aiding and abetting their unconstitutional actions.

On November 16th I entered the Taxpayers Association meeting and silently handed Sheriff D'Agostini the attached three Affidavits/Declarations of Truth addressed to **Deputy Jaime Toney**, and Senior Sheriff Technicians **Angela Sterling** and **Steve McCallum** for depriving me public services and violating their oaths of office. Notification of legal responsibility is the first essential of due process of law, and these affidavits are admissible as factual evidence in any court in America. However, Sheriff D'Agostini tossed the documents onto my table as if to refuse them. When I retrieved the documents and placed it on the table in front of the Sheriff, he again tossed it towards two unidentified women seated opposite my table. The blond snatched the legal documents and placed it on the chair next to her. I silently walked around the table to retrieve it, but that's when the blond and the Sheriff made an issue out of it. **SHERIFF JOHN D'AGOSTINI IS NOT ABOVE THE LAW!**

AFFIDAVIT/DECLARATION OF TRUTH

Angela Sterling, Senior Sheriff Technician
El Dorado County Sheriff's Office
200 Industrial Drive
Placerville, CA 95667

I, Melody Lane, the undersigned, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and swear, under my oath and under the pains and penalties of perjury under the laws of the United States of America and of this state, that I am of legal age and of sound mind and hereby attest that the statements, averments and information contained in this Affidavit/Declaration are true and correct to the best of my knowledge.

This Affidavit/Declaration of Truth is lawful notification to you, Angela Sterling, 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 Bill of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3, section 1, which requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within 20 days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit/Declaration.

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 and 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." See also: *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."

Any act committed by you, Angela Sterling, acting as Senior Sheriff Technician, either supports and upholds the Constitutions, national, and state, or opposes, and violates them. Your oath of office requires you to support and uphold the national and state Constitutions, and therefore you are constitutionally mandated to abide by that oath in the performance of your official duties. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents to which you swore or affirmed your oath and under which you were delegated by the people the limited authority to conduct the duties of your office. These three above stated positions are true, factual, lawful and constitutionally ordained.

However, despite the above-stated factual, lawful positions, your unconstitutional actions, as described throughout this Affidavit/Declaration of Truth, clearly demonstrate how you, Angela Sterling McCallum, have violated all of the above lawful positions, the Constitutions, your oath of office, acted against the public good by violating the public trust and committing sedition and insurrection. Pursuant to your unlawful and unconstitutional actions, you have invoked the self-executing Sections 3 & 4 of the 14th Amendment to the national Constitution, thereby have lawfully vacated your office and forfeited all benefits thereof, including salary and pension. Please note that, as stated above and below, if you fail to specifically rebut, in kind, any of the charges, claims and positions set forth in this Affidavit/Declaration, then, you tacitly admit to them, and these admissions will be lawfully used against you. The following paragraphs and others throughout this Affidavit/Declaration describe some of your unlawful, unconstitutional actions, which have harmed me and others:

1. On November 3, 2020 I approached the EDSO Records counter to obtain an un-redacted copy of EG20-9294 and the associated Citizen Arrest form that I signed relevant to an incident that took place on October 31, 2020. At that time Steve McCallum had me fill out a records request form. The entire transcript of my interaction with you and Steve McCallum is attached hereto, incorporated herein as if fully set forth in this Affidavit/Declaration, and marked **Exhibit A**. I informed Steve that my address was not necessary because I would wait for the reports per the California Public Record Act which in essence states:

Access is immediate and allowed at all times during business hours. (§ 6253(a)). **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1) **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255)

Wearing a mask, you approached me at the window in time to witness Steve McCallum fraudulently accusing me of making a scene in the lobby. At that time, you further deprived me of public services and due process as required by law.

Below is the transcribed text of the recorded conversation which ensued among you, Steve and me during that above-referenced interaction:

Steve McCallum: (Now on phone) There's a disturbance in the lobby...causing a scene...(inaudible)

Melody Lane: It's not a disturbance.

Angela Sterling approaches the window: Hello Melody. Do you have a record request for us today?

Melody: I do have a request, and he's making an issue out of this. The law says you are to immediately give me access to this. This has been the process, and there are no exceptions to the law.

AS: We don't have the ability to respond to these immediately.

ML: Yes, you do.

AS: We're going to take it in and process it as we can.

ML: OK, the thing is, what you are doing is breaking the law. I'm just telling you...I'm sorry, I forgot your first name.

AS: Angela,

ML: OK. Angela, we've gone through this before.

AS: I know we have.

ML: Again, what Steve is doing is in violation of the law. He has no authority to deny me my rights, to come into a public building to access the report, an un-redacted copy of the report that I filed. I need this to...

AS: (interrupting) We'll get to your request as soon as we can.

ML: It says right here, access is immediate.

AS: We've got your request. I'll send it in but we can't process it right now.

ML: According to the law, it is. You are also required—it says on here—you have to justify the withholding of the records.

AS: We're not withholding anything. We're going to process your report as soon as we can.

ML: OK, and it says in here, access is immediate. You know what the law says.

AS: We have your request and we're going to respond to you as soon as we can.

ML: It's not a matter of "it's as soon as you can." You need to justify why you will not give it to me immediately while I wait.

AS: (inaudible, muffled)

ML: I'm sorry, I can't understand you with your mask on.

AS: I'm sorry. I have to wear it. We have 10 days...(inaudible, muffled)

ML: No. Angela. Angela, you do not have 10 days to respond.

AS: Is there anything else...(inaudible, muffled)

ML: The law says here—read it yourself. 10 days is if you mail it in. They have 10 days to respond by mail.

AS: We've got your request. Is there anything else...(muffled)

ML: A public record act request can be made in person, and again, it says access is immediate. This is what the law says. There are no deviations to the law.

AS: I heard what you are saying. We will be responding to you as soon as we can.

ML: So what you are saying, Angela, is that you are refusing to...

AS: (interrupting) I do not have the ability to comply with your request immediately.

ML: Why do you not?

AS: Because we have 10 days to respond.

ML: No you don't. It says right here...

AS: I'm not going to argue with you anymore.

ML: It says right here, you have to just...

AS: (interrupting) I have nothing to process your request right now. I'm not going to process it right now.

ML: You are refusing, Angela, and what you are doing is you are in violation of the law...

AS: (interrupting, talking over me, inaudible) Is...

ML: ...and your oath of office.

AS: Is there anything else I can help you with today?

ML: OK, I want a copy now.

AS: A copy of what?

ML: A copy of the case file—an un-redacted copy—and a copy of the Citizen Arrest completed...

AS: (interrupting) I can't accommodate that right now.

ML: It's not that you can't, you are refusing...

AS: (interrupting—inaudible)...your name and number on your request.

ML: OK, you are refusing. You are refusing.

AS: (inaudible, muffled)

ML: OK, you are refusing. Correct?

AS: We are not going to process the request right now.

ML: So you are refusing.

AS: (inaudible, muffled)...

ML: You are refusing to comply with the law, therefore you are in violation of the law, therefore you will be receiving a notice the same as Serena did...

AS: (inaudible, muffled)...

ML: You have no authority to deny me my Constitutional right...

AS: (interrupting, muffled)...anything else?

ML: OK, both of you--Steve and Angela--both of you are in violation of the law and the Constitution. That is a big deal right now.

Steve McCallum: That's your (inaudible)...

Melody: Huh?

Steve: That's your interpretation.

ML: It's not interpretation. It's a fact. You don't know the law, and you certainly don't know the Constitution! (I exit the building)

2. The El Dorado Sheriff's Office is a public building paid for by my tax dollars. You are a public servant whose salary is paid for via my tax dollars, therefore you work for me and the other tax paying Citizens of El Dorado County.

"The Oath of Office is a quid pro quo contract 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, and 242, treason under the Constitution at Article 3, Section 3, and intrinsic fraud..."

All actions by public employees conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them. You have no authority or lawful justification to deny me services or deprive me the Constitutional right to access public records which the law clearly states **must** be made **immediately** accessible to me. Your refusal to provide me equal access to public services and due process of law, as stated within the Bill of Rights, egregiously harmed me by depriving me of public information and public services necessary to assist my efforts for redress of grievances—all lawful actions on my part that fall under the protections of the First Amendment. See *Miller v. U.S.*, 230 F.2d. 486,489 "The claim and exercise of a Constitutional right cannot be converted into a crime." See also USC 18 § 241 and USC 18 § 242, respectively, *Conspiracy Against Rights and Deprivation of Rights Under Color of Law*.

3. You are cognizant that Records Supervisor Serena Wilke, and Sheriff D'Agostini were served with notifications of their legal responsibilities which is the first essential of due process of law. Notarized Affidavits/Declarations of Truth addressed to Serena and to Sheriff D'Agostini were entered into the public record respectively during the June 9 and the June 23, 2020 Board of Supervisors meetings. It is my Right and duty to demand, that you, Angela Sterling, and other government officials uphold their oaths to the Constitution(s) and abide by all constitutionally-imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.
4. The public is entitled to honest services. Whether by your own volition, or under orders of Sheriff D'Agostini, you deprived me of honest services and the exercise of my right to access records. Any deceptive, obstructive enterprise undertaken by any public official, such as you, that tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy and against the Supreme Law of the land and any other laws which comply with the national Constitution. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. See *United States v. Dial*, 757 R2d 163, 168 (7th Cir 1985) *includes the deliberate concealment of material information in a setting of fiduciary obligation*. See also USC Title 18, § 2071 – *Concealment, removal, or mutilation generally*. See also: *United States v. Dial, supra*, - *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*. See also: *Morrison v. Coddington*, 662 P.2d. 155, 135 Ariz. 480 (1983) - *Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth*. [Emphasis added] Further, by your obstructive actions against me, you demonstrated flagrant bias and discrimination against me in violation of equal protection and equal treatment under the law.
5. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. You extended absolutely no due process of law whatsoever to me, yet, by your unconstitutional actions, as described herein, you harmed me, and others, in direct violation of your oaths. As stated in paragraph 4, above, any enterprise, undertaken by any public official, such as you, tends to weaken public confidence in the law, undermines the sense of security for individual rights, and is against public policy. Your repeated deprivations of my right to lawfully access records and your discriminatory actions against me, a law-abiding American Citizen dwelling in El Dorado County, are a direct assault

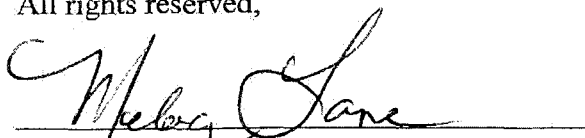
upon my due process rights secured by the First Amendment. Thus, you violated due process of law and are personally responsible and liable for your actions, because you have stepped outside the lawful scope of your limited duties and authority, usurped authority not possessed, and act as a renegade.

6. By your actions, as herein described, you perjured your oaths, and your unlawful actions render you a renegade, with no protection or "immunity" of your office, thus you, as an individual, will be held personally accountable and liable for any and all harm you have inflicted upon me and my inherent, constitutionally secured rights. You acted in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me. By violating and perjuring your sworn oaths, you invoked the referenced Sections 3 & 4 of the 14th Amendment. *See also: 18 USC § 241 - Conspiracy Against Rights, and 18 USC § 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

Lawful notification has been provided to you stating that if you, Angela Sterling, do not rebut the statements, charges and averments made in this Affidavit/Declaration, then, you tacitly 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 to me that with which you disagree, with particularity, within twenty (20) days of receipt thereof, by means of your own written, notarized affidavit of truth, based on specific, true, 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 and fact before any court. Your failure to respond, as stipulated, is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your irrevocable admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you.

Affiant further sayeth naught.

All rights reserved,



Melody Lane, Affiant/Declarant
Founder, Compass2Truth
P.O. Box 598
Coloma, CA 95613

11/14/10
Date

(See attached California Notarization)

Attachment: Exhibit A – 11/3/20 EDSO Transcript

CC: Serena Wilke, EDSO Records Supervisor
Sheriff John D'Agostini
District Attorney Vern Pierson
Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. # 5 Supervisor Sue Novasel
Media and other interested parties

11/3/20 EDSO Transcript
Dialog with Steve McCallum and Angela Sterling

Melody Lane: Hi. I need to get a copy of a Citizen Arrest form as well as a case file report that I made this Saturday.

Steve McCallum: OK. I'll give you a request form and have you fill that out.

Melody: OK. (I fill out the form and hold it up to get his attention.)

Steve: OK, so did you want to give us a mailing address or an email?

Melody: No, I will wait for it.

Steve: Well...well, it's not processed that way. You submit it for processing, and we process them in the order we receive them. It depends on how many are in front of yours. We're probably looking at a couple of weeks.

Melody: Hold on, just so I can explain something. The law says that the records are to be made immediately available...

Steve: (interrupting) Melody, I'm telling you this is how it is going to be processed.

Melody: OK, hold on. Let me show you. This is what the law says. (I hold up to the glass the Guide to CA PRAs)

SM: (interrupting) Melody. Melody. Melody. That's a PRA

ML: No, no, no...

SM: That's different.

ML: No it isn't.

SM: This is a request for Sheriff's records. I'm NOT going to debate this with you.

ML: I'm not arguing with you...

SM: (interrupting) If you'd like me to contact Patrol and have them remove you from the building, we can do that.

ML: Oh, you can do that, but you cannot deny me the exercise of my first amendment rights.

SM: I told you how it's processed, Melody, and that's how it's going to be processed.

ML: OK. What you are doing...I'd like your name and your card...

SM: (interrupting) It's right there. (pointing to his shoulder) I don't have a card.

ML: What's your title?

SM: I'm a Sheriff's Technician.

ML: A Technician? And what's your first name?

SM: Steve.

ML: Steve McCallum, what you are doing is in violation of your oaths of office.

SM: No I'm not.

ML: You have no authority to deny me my right to access a record.

SM: Do you want me to call Patrol?

ML: You can go ahead and do whatever you like.

SM: Are you going to leave Melody?

ML: I'm not going to leave. I have a right to be here and exercise my rights. I have a right to get that while I wait, and this is what the law says. (Holding up copy of Guide to PRAs). If you want to get Serena out here, she's already been served due process of law, so again...

SM: (Now on phone) There's a disturbance in the lobby...causing a scene...(inaudible)

ML: It's not a disturbance.

EXHIBIT A

Angela Sterling approaches the window: Hello Melody. Do you have a record request for us today?

ML: I do have a request, and he's making an issue out of this. The law says you are to immediately give me access to this. This has been the process, and there are no exceptions to the law.

AS: We don't have the ability to respond to these immediately.

ML: Yes, you do.

AS: We're going to take it in and process it as we can.

ML: OK, the thing is, what you are doing is breaking the law. I'm just telling you...I'm sorry, I forgot your first name.

AS: Angela,

ML: OK. Angela, we've gone through this before.

AS: I know we have.

ML: Again, what Steve is doing is in violation of the law. He has no authority to deny me my rights, to come into a public building to access the report, an un-redacted copy of the report, that I filed. I need this to...

AS: (interrupting) We'll get to your request as soon as we can.

ML: It says right here, access is immediate.

AS: We've got your request. I'll send it in but we can't process it right now.

ML: According to the law, it is. You are also required—it says on here—you have to justify the withholding of the records.

AS: We're not withholding anything. We're going to process your report as soon as we can.

ML: OK, and it says in here, access is immediate. You know what the law says.

AS: We have your request and we're going to respond to you as soon as we can.

ML: It's not a matter of "it's as soon as you can." You need to justify why you will not give it to me immediately while I wait.

AS: (inaudible, muffled)

ML: I'm sorry, I can't understand you with your mask on.

AS: I'm sorry. I have to wear it. We have 10 days...(inaudible, muffled)

ML: No. Angela. Angela, you do not have 10 days to respond.

AS: Is there anything else...(inaudible, muffled)

ML: The law says here—read it yourself. 10 days is if you mail it in. They have 10 days to respond by mail.

AS: We've got your request. Is there anything else...(muffled)

ML: A public record act request can be made in person, and again, it says access is immediate. This is what the law says. There are no deviations to the law.

AS: I heard what you are saying. We will be responding to you as soon as we can.

ML: So what you are saying, Angela, is that you are refusing to...

AS: (interrupting) I do not have the ability to comply with your request immediately.

ML: Why do you not?

AS: Because we have 10 days to respond.

ML: No you don't. It says right here...

AS: I'm not going to argue with you anymore.

ML: It says right here, you have to just...

AS: (interrupting) I have nothing to process your request right now. I'm not going to process it right now.

ML: You are refusing, Angela, and what you are doing is you are in violation of the law...

AS: (interrupting, talking over me, inaudible) Is...

EXHIBIT A

ML: ...and your oath of office.

AS: Is there anything else I can help you with today?

ML: OK, I want a copy now.

AS: A copy of what?

ML: A copy of the case file—an un-redacted copy—and a copy of the Citizen Arrest completed...

AS: (interrupting) I can't accommodate that right now.

ML: It's not that you can't, you are refusing...

AS: (interrupting—inaudible)...your name and number on your request.

ML: OK, you are refusing. You are refusing.

AS: (inaudible, muffled)

ML: OK, you are refusing. Correct?

AS: We are not going to process the request right now.

ML: So you are refusing.

AS: (inaudible, muffled)...

ML: You are refusing to comply with the law, therefore you are in violation of the law, therefore you will be receiving a notice the same as Serena did...

AS: (inaudible, muffled)...

ML: You have no authority to deny me my Constitutional right...

AS: (interrupting, muffled)...anything else?

ML: OK, both of you--Steve and Angela--both of you are in violation of the law and the Constitution. That is a big deal right now.

SM: That's your (inaudible)...

ML: Huh?

SM: That's your interpretation.

ML: It's not interpretation. It's a fact. You don't know the law, and you certainly don't know the Constitution!

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EXHIBIT A

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 14th day of November 2020
Date Month Year

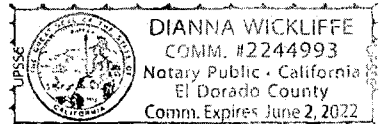
by Melody Lynn Lane

Name of Signers

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

Signature:

[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: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

AFFIDAVIT/DECLARATION OF TRUTH

Steve McCallum, Senior Sheriff Technician
El Dorado County Sheriff's Office
200 Industrial Drive
Placerville, CA 95667

I, Melody Lane, the undersigned, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and swear, under my oath and under the pains and penalties of perjury under the laws of the United States of America and of this state, that I am of legal age and of sound mind and hereby attest that the statements, averments and information contained in this Affidavit/Declaration are true and correct to the best of my knowledge.

This Affidavit/Declaration of Truth is lawful notification to you, Steve McCallum, 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 Bill of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3, section 1, which requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within 20 days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit/Declaration.

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 and 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." See also: *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."

Any act committed by you, Steve McCallum, acting as Senior Sheriff Technician, either supports and upholds the Constitutions, national, and state, or opposes, and violates them. Your oath of office requires you to support and uphold the national and state Constitutions, and therefore you are constitutionally mandated to abide by that oath in the performance of your official duties. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents to which you swore or affirmed your oath and under which you were delegated by the people the limited authority to conduct the duties of your office. These three above-stated positions are true, factual, lawful and constitutionally ordained.

However, despite the above-stated factual, lawful positions, your unconstitutional actions, as described throughout this Affidavit/Declaration of Truth, clearly demonstrate how you, Steve McCallum, have violated all of the above lawful positions, the Constitutions, your oath of office, acted against the public good by violating the public trust and committing sedition and insurrection. Pursuant to your unlawful and unconstitutional actions, you have invoked the self-executing Sections 3 & 4 of the 14th Amendment to the national Constitution, thereby have lawfully vacated your office and forfeited all benefits thereof, including salary and pension. Please note that, as stated above and below, if you fail to specifically rebut, in kind, any of the charges, claims and positions set forth in this Affidavit/Declaration, then, you tacitly admit to them, and these admissions will be lawfully used against you. The following paragraphs and others throughout this Affidavit/Declaration describe some of your unlawful, unconstitutional actions, which have harmed me and others:

1. On November 3, 2020 I approached the EDSO Records counter to obtain an un-redacted copy of EG20-9294 and the associated Citizen Arrest form that I signed relevant to an incident that took place on October 31, 2020. At that time you, Steve McCallum, had me fill out a records request form. You then told me that my address and/or email were necessary in order that the records could be sent to me. The entire transcript of my interaction with you and Angela Sterling is attached hereto, incorporated herein as if fully set forth in this Affidavit/Declaration, and marked **Exhibit A**. I informed you that my address was not necessary because I would wait for the reports per the California Public Record Act which in essence states:

Access is immediate and allowed at all times during business hours. (§ 6253(a)). **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1) **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255)

Below is the transcribed text of the recorded conversation which ensued between us during that above-referenced interaction:

Steve McCullum: Well, it's not processed that way. You submit it for processing, and we process them in the order we receive them. It depends on how many are in front of yours. We're probably looking at a couple of weeks.

Melody Lane: Hold on, just so I can explain something. The law says that the records are to be made immediately available...

Steve: (interrupting) Melody, I'm telling you this is how it is going to be processed.

Melody: OK, hold on. Let me show you. This is what the law says. (I hold up to the glass the Guide to CA PRAs)

SM: (interrupting) Melody. Melody. Melody. That's a PRA.

ML: No, no, no.

SM: That's different.

ML: No it isn't.

SM: This is a request for Sheriff's records. I'm NOT going to debate this with you.

ML: I'm not arguing with you...

SM: (interrupting) If you'd like me to contact Patrol and have them remove you from the building, we can do that.

ML: Oh, you can do that, but you cannot deny me the exercise of my first amendment rights.

SM: I told you how it's processed, Melody, and that's how it's going to be processed.

ML: OK. What you are doing...I'd like your name and your card...

SM: (interrupting) It's right there. (pointing to his shoulder) I don't have a card.

ML: What's your title?

SM: I'm a Sheriff's Technician.

ML: A Technician? And what's your first name?

SM: Steve.

ML: Steve McCallum, what you are doing is in violation of your oaths of office.

SM: No I'm not.

ML: You have no authority to deny me my right to access a record.

SM: Do you want me to call Patrol?

ML: You can go ahead and do whatever you like.

SM: Are you going to leave Melody?

ML: I'm not going to leave. I have a right to be here and exercise my rights. I have a right to get that while I wait, and this is what the law says. (Holding up copy of Guide to PRAs). If you want to get Serena out here, she's already been served due process of law, so again...

SM: (Now on phone) There's a disturbance in the lobby...causing a scene...(inaudible)

ML: It's not a disturbance.

Angela Sterling approaches the window: Hello Melody. Do you have a record request for us today?

Melody: I do have a request, and he's making an issue out of this. The law says you are to immediately give me access to this. This has been the process, and there are no exceptions to the law.

2. The El Dorado Sheriff's Office is a public building paid for by my tax dollars. You are a public servant whose salary is paid for via my tax dollars; therefore you work for me and the other tax paying Citizens of El Dorado County.

"The Oath of Office is a quid pro quo contract 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..."

All actions by public employees conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them. You have

no authority or lawful justification to deny me services or deprive me the Constitutional right to access public records which the law clearly states **must** be made **immediately** accessible to me.

3. There is no excuse for your insolent attitude, or to unlawfully deny me equal access to public services and due process of law, as stated within the Bill of Rights. You egregiously harmed me by depriving me of public information and public services necessary to assist my efforts for redress of grievances—all lawful actions on my part that fall under the protections of the First Amendment. See *Miller v. U.S.*, 230 F.2d. 486,489 "*The claim and exercise of a Constitutional right cannot be converted into a crime.*" See also USC 18 § 241 and USC 18 § 242, respectively, *Conspiracy Against Rights and Deprivation of Rights Under Color of Law*. Further, by your actions, you demonstrated flagrant bias and discrimination against me, in violation of equal protection and equal treatment under the law.
4. The public is entitled to honest services. You deprived me of honest public services; then you fraudulently accused me of arguing and creating a disturbance in the EDSO lobby when I simply exercised my right to access public information. Any obstructive, deceptive enterprise, undertaken by any public employee, such as you, that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. See *United States v. Dial*, 757 R2d 163, 168 (7th Cir 1985) *includes the deliberate concealment of material information in a setting of fiduciary obligation*. See also: USC Title 18, § 2071 – *Concealment, removal, or mutilation generally*.
5. Your fraudulent claim that I created a disturbance and your subsequent threat for Patrol to remove me from the building was an obstructive bully tactic to dissuade me from the exercise of my First Amendment rights. Fraud vitiates any action. As stated above in paragraph 4, above, any deceptive, obstructive enterprise undertaken by any public official, such as you, that tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy and against the Supreme Law of the land and any other laws which comply with the national Constitution. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. See *United States v. Dial*, supra, - *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*. See also *Morrison v. Coddington*, 662 P.2d. 155, 135 Ariz. 480 (1983) - *Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth*. [Emphasis added.]
6. All American Citizens can expect, and have the Right and duty to demand, that you, Steve McCallum, and other government officials uphold their oaths to the Constitution(s) and abide by all constitutionally-imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. You threatened to have Patrol remove me from the building when I, a law-abiding American Citizen dwelling in El Dorado County, simply exercised my lawful right to request immediate access to records relevant to a Citizen Arrest that I filed. The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which the oath taker, pursuant to his oath, is mandated to uphold. If he

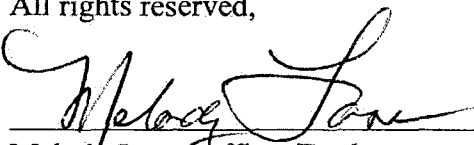
fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. Your attempts to bully and intimidate me are in defiance of the Constitution(s), and your discriminatory actions are a direct assault upon my due process rights secured by the First Amendment, violate and perjure your sworn oaths and invoke the referenced Sections 3 & 4 of the 14th Amendment.

7. By your actions, as herein described, you perjured your oaths, and your unlawful actions render you a renegade, with no protection or "immunity" of your office, thus you, as an individual, will be held personally accountable and liable for any and all harm you have inflicted upon me and my inherent, constitutionally secured rights. You acted in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me. See: 18 USC § 241 - Conspiracy Against Rights, and 18 USC § 242 – Deprivation of Rights Under Color of Law. See also: *U.S. v. Guest*, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.

Lawful notification has been provided to you stating that if you, Steve McCallum, do not rebut the statements, charges and averments made in this Affidavit/Declaration, then, you tacitly 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 to me that with which you disagree, with particularity, within twenty (20) days of receipt thereof, by means of your own written, notarized affidavit of truth, based on specific, true, 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 and fact before any court. Your failure to respond, as stipulated, is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your irrevocable admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you.

Affiant further sayeth naught.

All rights reserved,



Melody Lane, Affiant/Declarant
Founder, Compass2Truth
P.O. Box 598
Coloma, CA 95613

11/14/20

Date

(See attached California Notarization)

Attachment: Exhibit A – 11/3/20 EDSO Transcript

CC: Serena Wilke, EDSO Records Supervisor
Sheriff John D'Agostini
District Attorney Vern Pierson
Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. # 5 Supervisor Sue Novasel
Media and other interested parties

11/3/20 EDSO Transcript
Dialog with Steve McCallum and Angela Sterling

Melody Lane: Hi. I need to get a copy of a Citizen Arrest form as well as a case file report that I made this Saturday.

Steve McCallum: OK. I'll give you a request form and have you fill that out.

Melody: OK. (I fill out the form and hold it up to get his attention.)

Steve: OK, so did you want to give us a mailing address or an email?

Melody: No, I will wait for it.

Steve: Well...well, it's not processed that way. You submit it for processing, and we process them in the order we receive them. It depends on how many are in front of yours. We're probably looking at a couple of weeks.

Melody: Hold on, just so I can explain something. The law says that the records are to be made immediately available...

Steve: (interrupting) Melody, I'm telling you this is how it is going to be processed.

Melody: OK, hold on. Let me show you. This is what the law says. (I hold up to the glass the Guide to CA PRAs)

SM: (interrupting) Melody. Melody. Melody. That's a PRA

ML: No, no, no...

SM: That's different.

ML: No it isn't.

SM: This is a request for Sheriff's records. I'm NOT going to debate this with you.

ML: I'm not arguing with you...

SM: (interrupting) If you'd like me to contact Patrol and have them remove you from the building, we can do that.

ML: Oh, you can do that, but you cannot deny me the exercise of my first amendment rights.

SM: I told you how it's processed, Melody, and that's how it's going to be processed.

ML: OK. What you are doing...I'd like your name and your card...

SM: (interrupting) It's right there. (pointing to his shoulder) I don't have a card.

ML: What's your title?

SM: I'm a Sheriff's Technician.

ML: A Technician? And what's your first name?

SM: Steve.

ML: Steve McCallum, what you are doing is in violation of your oaths of office.

SM: No I'm not.

ML: You have no authority to deny me my right to access a record.

SM: Do you want me to call Patrol?

ML: You can go ahead and do whatever you like.

SM: Are you going to leave Melody?

ML: I'm not going to leave. I have a right to be here and exercise my rights. I have a right to get that while I wait, and this is what the law says. (Holding up copy of Guide to PRAs). If you want to get Serena out here, she's already been served due process of law, so again...

SM: (Now on phone) There's a disturbance in the lobby...causing a scene...(inaudible)

ML: It's not a disturbance.

EXHIBIT A

Angela Sterling approaches the window: Hello Melody. Do you have a record request for us today?

ML: I do have a request, and he's making an issue out of this. The law says you are to immediately give me access to this. This has been the process, and there are no exceptions to the law.

AS: We don't have the ability to respond to these immediately.

ML: Yes, you do.

AS: We're going to take it in and process it as we can.

ML: OK, the thing is, what you are doing is breaking the law. I'm just telling you...I'm sorry, I forgot your first name.

AS: Angela,

ML: OK. Angela, we've gone through this before.

AS: I know we have.

ML: Again, what Steve is doing is in violation of the law. He has no authority to deny me my rights, to come into a public building to access the report, an un-redacted copy of the report, that I filed. I need this to...

AS: (interrupting) We'll get to your request as soon as we can.

ML: It says right here, access is immediate.

AS: We've got your request. I'll send it in but we can't process it right now.

ML: According to the law, it is. You are also required—it says on here—you have to justify the withholding of the records.

AS: We're not withholding anything. We're going to process your report as soon as we can.

ML: OK, and it says in here, access is immediate. You know what the law says.

AS: We have your request and we're going to respond to you as soon as we can.

ML: It's not a matter of "it's as soon as you can." You need to justify why you will not give it to me immediately while I wait.

AS: (inaudible, muffled)

ML: I'm sorry, I can't understand you with your mask on.

AS: I'm sorry. I have to wear it. We have 10 days...(inaudible, muffled)

ML: No. Angela. Angela, you do not have 10 days to respond.

AS: Is there anything else...(inaudible, muffled)

ML: The law says here—read it yourself. 10 days is if you mail it in. They have 10 days to respond by mail.

AS: We've got your request. Is there anything else...(muffled)

ML: A public record act request can be made in person, and again, it says access is immediate. This is what the law says. There are no deviations to the law.

AS: I heard what you are saying. We will be responding to you as soon as we can.

ML: So what you are saying, Angela, is that you are refusing to...

AS: (interrupting) I do not have the ability to comply with your request immediately.

ML: Why do you not?

AS: Because we have 10 days to respond.

ML: No you don't. It says right here...

AS: I'm not going to argue with you anymore.

ML: It says right here, you have to just...

AS: (interrupting) I have nothing to process your request right now. I'm not going to process it right now.

ML: You are refusing, Angela, and what you are doing is you are in violation of the law...

AS: (interrupting, talking over me, inaudible) Is...

EXHIBIT A

ML: ...and your oath of office.

AS: Is there anything else I can help you with today?

ML: OK, I want a copy now.

AS: A copy of what?

ML: A copy of the case file—an un-redacted copy—and a copy of the Citizen Arrest completed...

AS: (interrupting) I can't accommodate that right now.

ML: It's not that you can't, you are refusing...

AS: (interrupting—inaudible)...your name and number on your request.

ML: OK, you are refusing. You are refusing.

AS: (inaudible, muffled)

ML: OK, you are refusing. Correct?

AS: We are not going to process the request right now.

ML: So you are refusing.

AS: (inaudible, muffled)...

ML: You are refusing to comply with the law, therefore you are in violation of the law, therefore you will be receiving a notice the same as Serena did...

AS: (inaudible, muffled)...

ML: You have no authority to deny me my Constitutional right...

AS: (interrupting, muffled)...anything else?

ML: OK, both of you--Steve and Angela--both of you are in violation of the law and the Constitution. That is a big deal right now.

SM: That's your (inaudible)...

ML: Huh?

SM: That's your interpretation.

ML: It's not interpretation. It's a fact. You don't know the law, and you certainly don't know the Constitution!

###

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 14th day of November 2020
Date Month Year

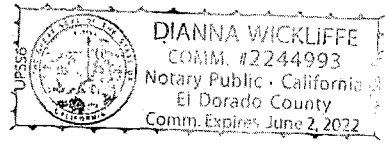
by Melba Lynn Lane

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: State McCallum - Affidavit / Oath of Truth

Document Date: 11/14/20

Number of Pages: 9

Signer(s) Other Than Named Above: _____

AFFIDAVIT/DECLARATION OF TRUTH

Deputy Jaime Toney
El Dorado County Sheriff's Office
200 Industrial Drive
Placerville, CA 95667

I, Melody Lane, the undersigned, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and swear, under my oath and under the pains and penalties of perjury under the laws of the United States of America and of this state, that I am of legal age and of sound mind and hereby attest that the statements, averments and information contained in this Affidavit/Declaration are true and correct to the best of my knowledge.

This Affidavit/Declaration of Truth is lawful notification to you, Deputy Jaime Toney, 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 Bill of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3, section 1, which requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within twenty (20) days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit/Declaration.

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 and 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." See also: *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."

Any act committed by you, Deputy Jaime Toney, either supports and upholds the Constitutions, national, and state, or opposes, and violates them. Your oath of office requires you to support and uphold the national and state Constitutions, and therefore you are constitutionally mandated to abide by that oath in the performance of your official duties. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents to which you swore or affirmed your oath and under which you were delegated by the people the limited authority to conduct the duties of your office. These three above-stated positions are true, factual, lawful and constitutionally ordained.

However, despite the above-stated factual, lawful positions, your unconstitutional actions, as described throughout this Affidavit/Declaration of Truth, clearly demonstrate how you, Jaime Toney, have violated all of the above lawful positions, the Constitutions, your oath of office, acted against the public good by violating the public trust and committing sedition and insurrection. Pursuant to your unlawful and unconstitutional actions, you have invoked the self-executing Sections 3 & 4 of the 14th Amendment to the national Constitution, thereby have lawfully vacated your office and forfeited all benefits thereof, including salary and pension. Please note that, as stated above and below, if you fail to specifically rebut, in kind, any of the charges, claims and positions set forth in this Affidavit/Declaration, then, you tacitly admit to them, and these admissions will be lawfully used against you. The following paragraphs and others throughout this Affidavit/Declaration describe some of your unlawful, unconstitutional actions, which have harmed me and others:

1. Since COVID lockdowns began in March 2020 the Coloma region has been inundated with out of town intruders and trespassers seeking an outdoor escape. On April 25, 2020 at approximately 4:33 PM, I reported to EDSO a rash of trespassing incidents stemming from the residence of my next door neighbor on the corner of Mt. Murphy and Carvers Roads. The owner, Bob Brockman, had passed away the year prior, so the home remains vacant and subjected to vandalism, theft, and persons illegally parking and trespassing on adjoining properties. It has essentially become an Attractive Nuisance. Marilyn Goff of Lyon Realty was the third real estate broker to list the property since Mr. Brockman passed away. As you may be aware, real estate agents are required by law to reveal to any potential buyers any conditions or public safety issues that can adversely affect the value and potential marketability of the listed property. Neighbors had reported that a guy named Kevin was living in the basement of the Brockman home, and that he had a dog with him. Accordingly, I had been corresponding over the course of several weeks with Ms. Goff about the loud noise, vandalism, trespassing, illegal parking, history of arson fires, and other public safety concerns that have emanated on or around the vicinity of the Brockman property. The five arson fires ignited on or within ¼ mile of my home particularly affect the safety and security of all residents on the northeast side of the river. Neighbors are particularly concerned that there is no Emergency Evacuation Plan for our region. In the course of our conversation, Ms. Goff informed me about her apprehensions involving an individual named Kevin, a resident of the American River Resort, who she believed was dealing drugs out of the Brockman basement. *In no uncertain terms, Marilyn Goff wanted Kevin **out of the residence, ASAP**, as she deemed him a detriment to the marketability of the Brockman property.*

On April 25th I also spoke with listing agent, Lori Nalley, about several cars that had again been illegally parking on the vacant Brockman property. I informed her that I knocked loudly on the door of the home, but there was no response. Lori gave me permission to put up the fallen gates and post a "No Parking" sign on the Brockman fence. Later in the day, I sent to Lori Nalley and Marilyn Goff

several photos of vehicles that had been parking at the abandoned Brockman property, as well as heavily tattooed trespassers and other individuals accessing my property via the Brockman property and leaving a trail of trash. Once again, that day, I noticed there were two white vehicles parked at the Brockman residence. Again I knocked loudly on the door, but there was no response. I left Ms. Nalley a message that unless I received a returned call from her within a half hour, I was calling the Sheriff concerning the apparent trespassers. Since Lori did not return my call, I proceeded to lean the metal gates against supports as a deterrent to the illegal parking and frequent trespassers. All referenced correspondence with Ms. Goff and listing agent Lori Nalley can be substantiated with emails.

In the interim, my neighbor, Mr. Goodspeed, also expressed to me his concerns about what appeared to be illegal activities taking place at the vacant Brockman property. On one occasion, Goodspeed reported to EDSO a vehicle with expired 2017 registration parked on the Brockman property. After EDSO arrived, Mr. Goodspeed informed me that he and his wife observed a male adult being apprehended by officers and removed from the property in handcuffs, and that the vehicle was later towed by G&O Automotive. Other neighbors have reported similar concerns to MGD Park rangers and EDSO, but the general consensus is that EDSO and State Parks officials have displayed a history of being unresponsive, and regard resident calls for assistance or calls about suspicious activity as a low priority nuisance. This suggests that the "Good Neighbor Policy", "See something—say something", and the "Neighborhood Watch Program" are meaningless to these law enforcement entities.

At approximately 8:00 PM on **April 25, 2020**, my surveillance system alerted me that law enforcement arrived at my front gate in response to my call nearly **four** hours earlier. I greeted you in a friendly manner as I approached the gate and proceeded to show you photos of illegal parking and trespassers on the Brockman property. You informed me that you had just spoken with the real estate broker, Marilyn Goff, who was at the Brockman property. It turned out the two white vehicles I'd taken photos of belonged to Ms. Goff, and to Gary & Linda Brown who live more than a half mile upriver. While we were speaking, that's when the Browns pulled up in their vehicle in front of my gate and began lambasting me for putting up the gates as real estate agent Lori Nalley had instructed me. I was shocked by their hostility and false accusations. It should be noted that I have not seen or even had occasion to speak with the Browns in well over 10 years. The Browns showed no concern about the safety and security issues of my adjacent property, and contentiously refused to let me explain the reason for my calling EDSO in the first place. At that point, you interrupted their verbal attack. Below is the transcribed text of my recording of the events that took place:

Deputy Toney: "Stop. Stop, stop, stop, stop, stop! *Stop!* Wait a second! Stop a second, OK? Folks, I'll convey the message for you, OK? Please, just listen, so

everybody is aware, OK? It's obviously a property issue, OK? She owns the property next to a vacant property. She sees a lot, and you guys are close by too. I totally understand. My parents own a lot of property and it's an issue with them back east. So all I can say is keep an eye on the property like you already do. When Kevin comes back, he should be the only one there. You guys are doing him a favor. I don't know if he's having friends come up, or whatever. Be sure, you make sure to keep the gates closed whenever you can. Try to communicate as best as possible with the agent, and make sure the agent is on the same page as you guys. I think that's the best way to go about this. As far as the trespassers and stuff like that, ma'am, I'll help you with that as much as I can.

Melody: These trespassers are coming onto my property from Brockman's property in broad daylight and on video. And with guns!

Deputy Toney: They see that the house is abandoned. So with this guy gone and in the hospital, it's just like free access for anybody. Probably because there's no *No Trespassing* signs on the property. That probably doesn't help. With Mr. Kevin staying in the basement, well, who knows. We all know how the river guides and all those people are.

Melody: Well the story that Marilyn told me, you know the broker, the agent I told you about, she thinks he's dealing drugs out of there. But that's not what he thinks, what Gary thinks.

Deputy Toney: A lot of people, I don't want to say they look the other way, they uhm, how do you say it, they uh, they're oblivious to what's really going on.

After the Browns left my property, we continued our discussion about the reoccurring safety and security issues, and the targeted retaliation by hostile individuals commonly referred to as the River Mafia Mob, as well as reticence by EDSO and other County officials to properly address public safety and Citizens' rights to due process of law. You acknowledged your awareness of "how the river guides and all those people are." You were purposely made aware the "River Mob" has a sordid history of harassing, threatening, and assaulting single conservative senior citizens such as me. Meanwhile the perpetrators are being aided and abetted by the indifference and lack of intervention by EDSO and other public officials whose duty it is to "serve and protect." It is the civic duty of ALL Citizens to hold any public official accountable for any act that does not support, uphold and defend the Constitution. Each of my factual communications containing factual evidence serves to put those county representatives on notice of government malfeasance. Whenever a government official, in this case, you, has knowledge of wrongdoing, yet fails to take remedial action, then that official, becomes complicit and liable. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which the oath taker is mandated to uphold. My actions in this matter are protected and guaranteed under the First Amendment and all law enforcement personnel, including, you, pursuant to your oaths, are mandated to uphold this Amendment and my rights secured therein.

My proactive involvement in the community is to ensure Citizens' rights to live in peace and safety, and to expose the miscreants who act as though they are above the law. That is the very purpose why I founded *Compass2Truth* in 2009. These facts, Deputy Toney, are very relevant to the increasing political tensions that divide our community and nation, of which I am confident you are acutely aware, and which can potentially explode into altercations with tragic endings. Consequently, you egregiously harmed me by your failure to uphold the aforementioned Constitutional requirements, and you violated two provisions of the First Amendment, the Public Trust, and perjured your oaths.

2. On **May 27, 2020** I submitted a PRA to request copies of case file reports EG20-4033 and EG20-3255 which, by law, were due no later than **June 9, 2020**. However it wasn't until **July 15, 2020** I received from the Records Unit a letter **backdated July 8th** containing copies of both case file reports approved by Sgt. B. Johnson. I was shocked and particularly offended by how your report portrayed me in such a biased and fraudulent manner. Your report minimized the April 25th confrontational situation with the Browns concerning the Brockman property and trespassers. You falsely indicated that I "yelled" as I approached you, when, in reality, I did no such thing. Then you falsely portrayed me in your report as "unreasonable" and "looking confused." It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy.

The First Amendment **guarantees** the Right of free speech and the Right to petition government for redress of grievances, which the oath taker, pursuant to his oath, is mandated to uphold. Pursuant to your oath of office, you have a duty to be **accessible** and **responsive**, in kind, to the public. Since you failed this requirement, then you have violated two provisions of the First Amendment, the Public Trust and perjured your Constitutional oath. In this way, the public, including me, was deprived of their constitutionally guaranteed rights secured in the First Amendment and the "good old boys" status quo is protected and maintained.

Furthermore, it is significant that when I checked my surveillance video, your vehicle appears to have arrived at the front gate at approximately 8:00 PM, but the video is blank until your vehicle passes my surveillance camera approximately 30 minutes later going in the opposite direction. The entire altercation with the Browns, and my interaction with you, is *missing from my surveillance video, which is very suspicious and suggests some form of hacking or tampering with the video footage that camera should have captured*. However, my personal audio device captured every word and fully supports my statements about this situation.

3. On **July 4th** there was another situation necessitating that I contact Dispatch to request a deputy respond to a disturbance of the peace within the Quiet Zone of the American River with CHP and State Park rangers issuing citations to all the vehicles that were illegally parked on Hwy 49 and blocking traffic. Although Marshall Gold Discovery Park Ranger Emily Bertram was notified at approximately 3 PM of the unlawfully loud amplified event at the Argonaut Café, a building owned by the Park, she responded, "Tell that to the Sheriff." At approximately 3:15 PM, I called Dispatch and requested a deputy respond and document the incident as per the River Management Plan. At 3:35 Deputy Graff called and claimed he wasn't in area, but he stated he was in Coloma two hours earlier at the American River Resort and there were no issues. I explained the incident was at the Argonaut Café, NOT the American River Resort. He became argumentative and claimed to have other priorities, so when it was apparent that Deputy Graff wasn't going to respond, at 4:45, I called Dispatch again about the excessively loud amplified event. Approximately at 6:00 PM my surveillance system alerted me and then my phone rang indicating Private Caller. When I answered the phone, a woman said something inaudible and immediately disconnected. The call did NOT SHOW UP ON THE CALL LOG. However, my surveillance monitor revealed a vehicle parked in front of my gate. After greeting you, I showed you that the River Management Plan (RMP) clearly indicates it is the responsibility and jurisdiction of EDSO to report all such campground disturbances of the peace to Code Enforcement/Planning and Development within 72 hours, and the appropriate person to contact is Planning Director, Stefani Schmid. You assigned EG20-05423 to the incident and agreed to forward the report to Code Enforcement/Planning and Development as per the RMP.

However, I found it disturbing that you made a point in your report to mention my lawful firearm. You've been informed that I've been shot at, assaulted, vandalized, threatened and harassed by liberal miscreants known as the River Mafia Mob. In light of the circumstances and threats to my personal safety, it is my only viable means of defense against frequent miscreants who constitute a threat to my personal safety and security of my private property. It is your job, pursuant to your oaths, to serve and protect, and to enforce the law. It is my duty to hold you accountable to your oaths of office in the course of the performance of your official duties. From the appalling indifference and incompetence I have directly experienced from EDSO personnel, it is evident that you and the rest of EDSO do not want to be contacted, nor do you want to be transparent or held accountable to your oaths by the people you purportedly serve. Instead, you have conspired with county staff in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, including me, all of which constitute serious Federal crimes. See *USC Title 18, § 241 and § 242*.

4. It is significant that just like on the aforementioned occasion, my home security system appeared to have been blocked again. Your EDSO vehicle can be seen arriving and departing, but nothing appears in between. Every Citizen has the right to live in peace and safety. It is also every Citizen's right to be free from

unreasonable government intrusion into their persons, homes, businesses, and property. EDSO's tampering with my home security system is an unreasonable government intrusion and is in violation of the Fourth Amendment to the national Constitution. Additionally, 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. All public officers, including you, 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 discharge of their trusts.

5. On **October 31, 2020**, another excessively loud disturbance of the peace took place at the American River Resort. At approximately 5:20 PM, I called Dispatch and requested a deputy contact me, but I also emphasized the necessity for a deputy to respond and to report it to Code Enforcement/Planning to log into the system as lawfully required as per the River Management Plan. At 6:30 PM, I called Dispatch again concerning the status of my call for assistance, and said, if necessary, I would sign a Citizen's Arrest form. Again I called Dispatch at 7:35 PM and was told they were "on their way." At 8:15 PM, you, Deputy Toney, called me indicating that you were at the front gate. You were accompanied by Deputy Fishback. Because your flashing lights were blinding me, I requested that you cut the lights in order that I could see you. I inquired whether you had been down to the American River Resort as I'd requested of Dispatch, but both of you deputies responded negatively. It should be noted the music was still loudly audible and captured on my personal audio device. I conveyed to you my experience the last time, when EDSO refused to respond to a disturbance of the peace at the ARR; I went down to the campground after midnight, and that's when I was assaulted by an adult male who was under the influence. You asked if I'd like to make a Citizen's Arrest, I responded, *"I'd love to. I'd be happy to."* While you were filling out the form from inside the vehicle, I asked if you wanted to see the photos I'd taken, but Fishback requested that I email them. I responded, ***"I can't email them to you, and the reason is, I believe I explained this to you the last time you were here, is that Sheriff D'Agostini blocked my ability to email anybody in the Sheriff's Department. He's been taken to task for that, and that's a matter of public record. He received an affidavit, and that's also a matter of public record."***

After I showed you photos of the event at the American River Resort and explained their responsibilities under the RMP to report the incident to Code Enforcement/Planning & Development Director Tiffany Schmid, you produced a Citizen Arrest form with Case File EG20-09294 for me to sign on the bottom line. I specifically indicated that Arnie Chandola was the owner of the American River Resort, but it was dark and difficult to see whether the form was properly filled out. I took a photo of the form, but it wasn't until I returned to the house that I discovered it was missing crucial information. I explained to you that I fully expected that there would be some sort of retaliation for exercising my right to

make a Citizen Arrest, but I would not tolerate bully tactics by the owner of the resort or any of his river associates. As I informed you before, these are not nice people, and their Mafia-like tactics against law abiding citizens cannot and will not be tolerated.

I also reminded both you and Deputy Fishback about your oaths of office, and that failure to enforce the law or report it to Planning Director Tiffany Schmid makes EDSO complicit and liable for aiding & abetting the River Mafia Mob bully tactics. Then I firmly informed you of my First Amendment rights to petition government for redress of grievances and due process, assuring you that I would go to EDSO Records next week and that I expected to see the proper information reflected this time in your Case File report. Then I sternly confronted you, Deputy Toney, regarding your two falsified case file reports involving the Brown's and trespassing incidents that occurred several months ago. The only thing I hate more than being lied to is being lied about. I let you know that I was angry that you fraudulently portrayed me as "the problem" in both your reports. Fraud vitiates any action. Any deceptive, obstructive enterprise undertaken by any public official, such as you, that tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy and against the Supreme Law of the land and any other laws which comply with the national Constitution. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. *See United States v. Dial*, 757 F.2d 163, 168 (7th Cir. 1985) - *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.* See also *Morrison v. Coddington*, 662 P.2d. 155, 135 Ariz. 480 (1983) - *Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth.* [Emphasis added] *See United States v. Dial*, supra, *includes the deliberate concealment of material information in a setting of fiduciary obligation.*

6. On **November 3, 2020**, I went to EDSO Records to retrieve a copy of Case File EG20-9294 and the associated Citizen's Arrest form that I signed on October 31st, but Sheriff Technicians, Steve McCallum and Angela Sterling, unlawfully denied me immediate access to the records, as required by law. I am confident you are acutely aware by now that government obstructionism is against the law and clearly in violation of Constitutional oaths of office. On November 6,th I received a copy of both documents in the mail, and I was again shocked by the false statements in your report. Not only was the Citizen Arrest form, which you had me sign in the dark, incomplete, you failed to put Arnie Chandola's name on it or fill in the appropriate sections, thereby rendering it invalid. Based upon your fraudulent report, it appeared that you had no intention of serving Chandola with the Citizen Arrest and deliberately failed to properly fill out the form. It is evident that the form you produced was just to appease me, an apparent "set up" to discourage the exercise of my right to seek and receive due process of law. You failed to appropriately address the situation, and in so doing you aided and

abetted the perpetrators, whose history of retaliation, demonstrates a clear conspiracy against rights. Additionally, there was no feasible reason for you to forward the Citizen Arrest report to the District Attorney's Office for review.

By depriving me of public services and the ability to petition government for redress of grievances against the American River Resort, you committed a further flagrant violation of your Oaths, the Constitutions, my secured inherent First Amendment rights and due process of law guaranteed therein. Your unconstitutional actions harmed me by obstructing, limiting and denying me the ability to exercise my rights of due process secured in the Bill of Rights and elsewhere in the national and state Constitutions. Furthermore, you acted unlawfully in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me. See: *18 USC § 241 - Conspiracy Against Rights, and 18 USC § 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

By your stepping outside of the limited scope of your delegated duties and 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. See *Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988), which held:*

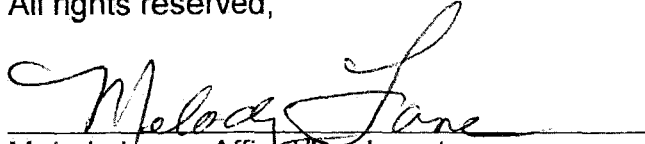
"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation."

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 tacitly 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 to me that with which you disagree, with particularity, within twenty (20) days of receipt thereof, by means of your own written, notarized affidavit of truth, based on specific, true, 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 and fact before any court. Your failure to respond, as stipulated, is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your irrevocable

admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you.

Affiant further sayeth naught.

All rights reserved,



Melody Lane, Affiant/Declarant
Founder, Compass2Truth
P.O. Box 598
Coloma, CA 95613

11/14/20
Date

(See attached California Notarization)

CC: Sheriff John D'Agostini
District Attorney Vern Pierson
Planning/Development Director Tiffany Schmid
Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. # 5 Supervisor Sue Novasel
Media and other interested parties

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 14th day of November 2020
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: _____

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: Jaime Teney - Affidavit / Decl. of Truth

Document Date: 11/14/20

Number of Pages: 10

Signer(s) Other Than Named Above: _____