

For the record, I knew Cheryl Bly Chester while I worked for Capitol legislators. During the BOS kangaroo court hearing against Dr. Bly Chester, there was public testimony about Planning Commission corruption and regular violations of the Brown Act. Conflicts of Interest and the Brown Act happen to be my areas of expertise. It is public knowledge that 14 of us met with the FBI regarding EDC corruption. I personally participated in eight FBI meetings.

Corrupt is a word to describe an act done with intent to give some advantage inconsistent with official duty and the rights of others, and is generally undertaken for personal gain. It is commonly used to refer to unethical or dishonest character or behaviors undertaken by someone who has been entrusted with authority. Government corruption includes a variety of activities, such as the offering or accepting of bribes, extortion, and the offering of jobs or other benefits to friends or family members (called "cronyism").

These two unrebutted affidavits contain proof of systemic corruption; one is for Tiffany Schmid, and the other for Andy Nevis. Notification of legal responsibility is the first essential of due process of law, and an unrebutted affidavit stands as truth and fact before any court of law in America. You are expected to uphold the highest standards of morality and ethics consistent with the law, being **ever conscious that public office is a public trust**.

Andy's affidavit contains the notarized affidavit of Lori Parlin documenting the threat made by Al Hamilton against me during a Taxpayers association meeting. Andy is following in the same corrupt footsteps of Al Hamilton, and therefore he is unfit to serve as a commissioner.

Additionally, Andy has multiple conflicts of interest, and has been acting outside of the law by regularly censoring me, committing fraud, libel, slander, discrimination, retaliation, blatant violations of my First Amendment rights and his oath of office. Andy's censorship is an abuse of the public trust and a hallmark of COMMUNISM. Besides using the Taxpayers Association for his own personal gain, Andy has been aided and abetted by Lori Parlin, and other public officials, who have failed to take remedial action.

Ms. Schmid, my taxes pay your salary, therefore you work for me. Like your predecessor, Roger Trout, you have been unresponsive to correspondence, as well as public record act requests for information necessary to assist my efforts for redress of grievances. Case in point is the documentation necessary to implement the Coloma

Resort and American River Resort SUP revocation process that is required to come before this Planning Commission. There is also the matter of the Lori Parlin/Kniesels PRA. Your collusion with staff, and failure to provide honest public services, to unconstitutionally and unlawfully deny me equal access to public services and due process of law, as stated within the Bill of Rights, aids and abets the perpetuation of El Dorado County corruption.

In closing, fraud is a federal crime. Be assured that Andy, Tiffany, and others, will be held accountable. If you have any questions or comments, make them now while I'm at the podium.

Please enter these documents into the public record.

- 1) Andy Nevis affidavit
- 2) Tiffany Schmid affidavit
- 3) 10/12/21 BOS Open Forum comments – Taxpayers/Parlin corruption

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Tuesday, October 12, 2021 6:03 PM
To: lori.parlin@edcgov.us; george.turnboo@edcgov.us; sue.novasel@edcgov.us; wendy.thomas@edcgov.us; john.hidahl@edcgov.us; 'Donald Ashton'; david.livingston@edcgov.us
Cc: Joe Harn; Richard Esposito; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Subject: Today's BOS Open Forum - government corruption and censorship
Attachments: * Parlin-Hamilton threat Affidavit.pdf

Below is my prepared transcript presented during today's BOS Open Forum. At least twice while I was speaking it was necessary to verbally admonish Lori Parlin because her eyes were glued to her PC, but Lori refused the courtesy of her attention as constituents rightfully deserve. *Note Lori's attached affidavit concerning Al Hamilton's blatant discrimination and threats made againsts me at a Taxpayers meeting. Jack Sweeney also has threatened me for exposing EDC corruption. Fourteen of us--including George Turnboo, Lori Parlin, and Sue Taylor--met with the FBI specifically to address EDC corruption.

Afterwards a group of us were talking out in the lobby when Todd White and Kris Payne walked by. But when I asked Todd when he was going to forward me the Taxpayers Monthly Schedule of Speakers and other correspondence *as required by law*, they both refused to acknowledge me and kept walking with eyes focused straight ahead as they entered the BOS office.

Refer to *U.S. v. Tweel*, "*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.*" See also *Morrison v. Coddington*, - *Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth.*

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I'd like to read a couple of definitions.

Corrupt is a word to describe an act done with intent to give some advantage inconsistent with official duty and the rights of others, and is generally undertaken for personal gain. It is commonly used to refer to unethical or dishonest character or behaviors undertaken by someone who has been entrusted with authority. Government corruption includes a variety of activities, such as the offering or accepting of bribes, extortion, and the offering of jobs or other benefits to friends or family members (called "cronyism").

Diabolical means "characteristic of the Devil, or so evil as to be suggestive of the Devil."

Let those words sink in. They describe the true nature of the Taxpayers Association and their overt acts of fraud and discrimination in the deprivation of my equal benefits of membership. I'm speaking about Andy Nevis, Kris Payne, and Todd White, colluding with Lori Parlin and other government officials, to unlawfully deprive me of the **blessings of freedom**.

Last week the Mt. Murphy Bridge was closed, so I joined in the Taxpayers meeting via Zoom. Kris Payne and Lori Parlin seized the opportunity to grandstand as they bloviated about the Mt. Murphy

bridge closure. Since Andy had hidden the “raise hand” feature and kept muting my microphone, I submitted a request to address speaker Joe Harn. When Andy finally permitted me to speak, he abruptly cut me off. Andy has no authority to deprive me the right to address any public official. His CENSORSHIP is an abuse of the public trust and a hallmark of communism.

As Lori witnessed yesterday during the business meeting, Andy Nevis *again* censored me. He is following in the footsteps of Al Hamilton, the corrupt Sr. Services attorney who threatened me at a Taxpayers meeting as described in Lori Parlin’s sworn affidavit. Andy and Lori are unethically using the Association for their own personal benefit, and as a political bully pulpit, to retaliate against **Compass2Truth** for whistleblowing. Andy has proven he is unfit to serve as a Planning Commissioner. Not only has he violated his oaths of office, he has regularly violated the Association Bylaws, specifically the Conflict of Interest, Non-discrimination, Whistleblower, Ethics, and Retaliation policies.

Lori, it is apparent you have been unethically trading political favors with members of the Taxpayers GOBs. You’ve also been deceitful with Coloma residents regarding the meeting to address concerns about the Mt. Murphy bridge closure and the lack of an Emergency Evacuation Plan. That meeting was supposed to have happened in person a week ago, before the bridge suddenly reopened on Friday, coincidentally just in time for Gold Rush Live. You postponed the meeting until October 20th as a “Community-Town Hall” Zoom meeting. We anticipate our public safety concerns will be diverted and obfuscated, just as they have been for decades.

In closing, I’ll quote the words of the great author and evangelist, Benjamin Morris. (Please pay attention to this message):

“Our forefathers in faith did not retreat from involvement in society and politics. They did not turn civil government, the making, enforcement, and adjudication of laws, over to Satan and those who serve him. They did not surrender the ministry of civil government to those who are in rebellion against God.”

If you have any questions or comments, please make them now while I’m at the podium.

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

- 1) This transcript
- 2) Lori Parlin’s affidavit – Al Hamilton threat @ Taxpayers

Melody Lane

Founder – Compass2Truth

Brown Act Preamble: “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.”

AFFIDAVIT/DECLARATION OF TRUTH

Andy Nevis
CA Water Resources Control Board
1001 I Street
Sacramento, CA 95814

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, Andy Nevis, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, 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 15 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."*

When I use the term "public officer(s)", this term includes you, Andy Nevis, technician for the CA Water Resources Control Board, and President of the Taxpayers Association of El Dorado County. Any act committed by you 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 by 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, Andy Nevis, 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, and 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, by means of your own sworn notarized Affidavit, supported by truth, fact, valid law and evidence, 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. You, Andy Nevis, are a public servant employed by the CA Water Resources Control Board and whose salary is paid for via my taxes, 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 whether conducted in the performance of their official duties, or in associated activities such as your role as President of the Taxpayers Association of El Dorado County, either support and defend the national and state Constitutions, or oppose and violate them. All public employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their positions and consistent with the law. You are expected to uphold these principles, being **ever conscious that public office is a public trust**. Any enterprise undertaken by any public employee, such as you, which 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. By your actions, you have committed fraud on numerous occasions, as herein described. You have failed on numerous occasions to provide honest public

services relevant to your duties as a public employee and also acting as President of the Taxpayers Association, which actions are described throughout this document. Furthermore, you have conspired with Directors of the Taxpayers Association and other public officials to censor me and maliciously impugn my good name and reputation solely because I have had the temerity to exercise my rights and civic duty to challenge those who brazenly dare to infringe on my God-given liberties and violate rights guaranteed in the state and national Constitutions which are guaranteed to the people, in the instant case, me.

In so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, particularly those secured in the Bill of Rights, including but not limited to my 1st Amendment Rights. By your unlawful actions, 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: USC Title 18, § 241- Conspiracy Against Rights.*

2. You have publicly professed your aspirations to run for public office, yet you have used and abused the Taxpayers Association to further your own political platform. As such, your personal interests present a conflict of interest which is against the Bylaws and Policies and Procedures of the Association. Since December 9, 2019, you have presided as President of the Taxpayers Association of El Dorado County. At that time you publicly stated, *"If we are going to be holding government accountable, then we need to make sure our internal process is as tight as possible. My plan was to bring this up at our first Business Meeting in January, but you have my pledge that it will definitely be an important topic."* Mr. Nevis, that internal process requires your own adherence to the following Bylaws and Policies and Procedures:

The Object of the Taxpayers Association of El Dorado County is the creation and maintenance of a forum within which to study the issues of government and the **problems of those who are governed**. This shall occur through an ongoing weekly discourse that will be open to members of the Association, the public and those who govern. These discussions shall be directed by the Association in an effort to educate all taxpayers as to the **current issues**, how they may be affected, how to **reveal and understand** the true costs of government, and to encourage awareness of **individual responsibility**. The Association shall monitor and be involved in the process of governance to help insure that the **blessings of freedom shall be forever perpetuated.**" [Emphasis added]

The organization shall be governed by its Articles of Incorporation, Bylaws, Policies and Procedures, Standing Rules, Special Rules, and Resolutions. It **shall adhere to and comply with all applicable Federal State and local laws, codes, regulations and ordinances**. The organization shall strive to operate in a manner consistent with nonprofit best practices and shall **maintain all records** required to be **made available for public inspection**. The organization shall maintain a written **Conflict of Interest Policy, Non-Discrimination Policy,**

Records Retention/Destruction Policy, Whistle Blower Policy, and Mid-Term Director Replacement Policy. [Emphasis added]

You are cognizant that I have been a paid General member of the Taxpayers Association of El Dorado County since 2008: You are also aware that prior to retiring, I was employed by Capitol legislators and actively involved in Capitol ministries, as well as founding in 2009 the whistleblower organization, *Compass2Truth*. The Association is open to the general public and frequently attended by public officials, many of whom are the guest speakers. It is a matter of public record that I have been actively holding local officials' "feet to the fire" for violating their Constitutional oaths of office, including but not limited to: Sheriff D'Agostini, Parks and Recreation Commissioner Chris Payne, Sr. Services attorney Al Hamilton, Supervisor Shiva Frentzen, Supervisor Sue Novasel, Supervisor Brian Veerkamp, Commissioner Gary Miller, and Assemblyman Frank Bigelow. All my sworn and notarized affidavits *revealed problems* with public officials in order that the public could *understand* the issues and ensure that the *blessings of freedom shall be forever perpetuated*. But you, Mr. Nevis, by your actions, have apparently chosen to follow in the footsteps of self-proclaimed "dictator" Al Hamilton, the previous President of the Association, who has publicly harassed and threatened to "destroy" me as witnessed by members of the Association including Supervisor Lori Parlin whose notarized sworn affidavit is hereby attached as **Exhibit A**, made part hereof as if fully incorporated herein.

3. It is a matter of public record that the following Directors of the Taxpayers Association have threatened me, discriminated against me, or unlawfully deprived me equal benefits of membership: Sr. Services Attorney Al Hamilton, V.P. Chris Payne, Secretary Todd White, former Supervisor Jack Sweeney, and former Association Presidents Bill George and Bill Carey. You, Mr. Nevis, are demonstrating their same dysfunctional biases by discriminating against me, a well-known third generation evangelical senior citizen and Constitutional activist.

You have been apprised that I've filed two formal complaints against Al Hamilton with the CA State BAR Association. Furthermore, I entered into the public record during a Board of Supervisors meeting an unrebutted Affidavit of Truth relevant to Al Hamilton, which was also submitted to the Secretary of the Taxpayers Association as a *permanent record* to be made available for *public inspection*. It was during the July 28, 2020 Board of Supervisors meeting that you joined V.P. Chris Payne and Secretary Todd White in publicly praising Al Hamilton for his contributions to the Taxpayers Association when you knew full well his notorious reputation for discrimination against women, bully tactics, and failure to abide by the Association Bylaws, Policies and Procedures. It was at that time that I again entered into the public record the factual Affidavit of Truth containing Supervisor Lori Parlin's notarized affidavit documenting Hamilton's threat to "destroy" my reputation. During Al's closing remarks he publicly mocked me, meanwhile effusively encouraging you, Todd, and Chris to continue in his illicit footsteps.

4. You have made it a habit to regularly censor and discriminate against me during Taxpayers Association meetings. One such instance was during the October 12, 2020 District #1 Candidate forum. Because candidate Ron Briggs failed to show up, Democrat candidate John Hidahl had an entire hour solely to himself to answer questions. You then made a point to circumvent the purpose and intent of the submitted question that I ask at every candidate forum:

*"This question has some ambiguities, so just for transparency, I'll read the question as it was submitted and then I'll invite you to, uh, maybe take it into a little more broader form of theater, so it will be more insightful discussion. So I'll read the question, **All elected officials are required to sign an oath of office to protect and support the state and national constitutions. If you are elected, will you sign a Constitutional Affidavit that essentially says that if it is PROVEN that you have violated your oath of office, then you will immediately resign and/or allow the people to remove you from office without your protest or objection?** What I'm going to invite you to do is reflect on, since you have already been supervisor, reflect on taking the oath of office. What does that oath mean to you, and how does it, you know, guide your everyday operations as a supervisor?"*

Mr. Nevis, you have no authority whatsoever to re-word, circumvent, or qualify questions asked of any candidate for public office. Other examples include the June 15, 2020 business meeting when you disrespectfully dismissed me after I raised ongoing issues with Todd White. He has discriminated against me ever since he replaced Bernard Carlson as Secretary of the Association. Todd still refuses to include me in the distribution of monthly speaker schedules and all other Taxpayers correspondence that all members are entitled to receive. Furthermore, you have taken it upon yourself to aid and abet Todd White's refusal to produce records and expenditures which I requested in writing and are lawfully required to be made available for public inspection. Then on July 27, 2020 you repeatedly muted me in midsentence during the Zoom meeting. Again during the October 19, 2020 El Dorado Irrigation District Candidate Forum, you failed to ask my question of the candidates which I provided to you at the very beginning of the forum, and instead proceeded to ask your own questions of the candidates. Your tactics dilute the intent of public participation in candidate forums. You are aware this has been an extremely sensitive issue at all other candidate forums, where the Citizens are denied the First Amendment Right to ask the hard and revealing questions that would enable them to make intelligent voting decisions about the candidates. In so doing you have deprived me of my inherent Rights, violated your oaths and all of the provisions within the Taxpayers Objectives, Bylaws, and Policies and Procedures. *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 established pattern of behavior since you became President of the Association demonstrates that the Taxpayers Association of El Dorado County has no genuine

interest in abiding by the Association policies, bylaws, mission statement, reasonable standards of conduct or applicable state and federal laws. On numerous occasions, I've requested in writing from you and Secretary Todd White copies of records which the bylaws require be made available to the public. As a long standing member, all my requests have been either flatly denied or ignored, further betraying the Association's alleged mission statement "to monitor and be involved in the process of governance to help in order that the blessings of freedom shall be forever perpetuated." The only thing I despise more than being lied to is being lied about. On several occasions you audibly stated during Taxpayers meetings that Todd White would include me in distributions of all monthly schedules of speakers and other Association correspondence. But these were outright lies. Both you and Todd have failed to abide by the Association policies, procedures, and applicable law. By your obstructive actions against me, you demonstrated flagrant bias and discrimination against me in violation of equal treatment under the law.

6. It is a matter of public record that I've predicated statements made during Taxpayers Association meetings and during Board of Supervisors meetings that the federal and state Constitutions are the Supreme Law of the Land which clearly supersede any lesser "laws", statutes, rules, codes, regulations and policies, including the ones upon which the Taxpayers Association 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.

Furthermore, you are aware that Chris Payne, Sr. Services Attorney Al Hamilton, Commissioner Gary Miller, and Supervisors Shiva Frentzen, Sue Novasel, Brian Veerkamp, and Sheriff D'Agostini have all been served with notifications of their legal responsibilities, which is the first essential of due process of 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. Again, any enterprise undertaken by any public official, such as you, which tends to weaken public confidence and undermine the sense of security for individual rights, is against public policy. Fraud, in its elementary common law sense of deceit, is one of the meanings that fraud bears.

It is my duty to demand that you 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. All of the facts, claims and charges stated herein clearly demonstrate that you, Andy Nevis, pursuant to your oaths, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. 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.

7. During the November 9, 2020 Taxpayers Business Meeting, you recognized me to speak, but then you pounded your gavel and interrupted me when I commented about your inappropriate conduct, shameful disrespect, and the fact that you censor me during meetings, just as Al Hamilton consistently did to me when I stood up to his bully tactics. I remarked that it was deeply disturbing to hear you, Todd White and Kris Payne during the BOS Retirement Proclamation for Sr. Services Attorney Al Hamilton, actually praising him for his "honesty" and service to the county when it is a matter of public record that Al Hamilton brazenly threatened me and at least five other women during Taxpayers meetings. These facts are backed up by multiple witnesses and by an unrebutted Affidavit of Truth that includes the referenced sworn Affidavit of Supervisor Lori Parlin attached hereto as **Exhibit A**.

When I replied about your shameless hypocrisy, you again interrupted me by furiously pounding your gavel and stating: *"I have met Al Hamilton maybe three or four times. Other than that Board of Supervisors meeting you referenced, I just called to congratulate him on his retirement, and I have not spoken to Al Hamilton in at least three years. So that's just crazy."*

Not only was your remark disrespectful, it was a blatant lie. My records reveal Al Hamilton was still a Director of the Association in 2019, but he only occasionally attended meetings. Furthermore, my audio recordings revealed you actively engaged in conversation with him. However, when Hamilton stopped showing up at meetings altogether without submitting his resignation as required in the bylaws, Chris Payne announced to the group that the Elections Committee had opted to wait until the end of the year to replace Hamilton as a Director. It should be noted that Al Hamilton had also previously refused to accept the written resignation of Bernard Carlson and allowed him to remain a "placeholder" and an "absentee" Director of the Association, who is confined to an assisted living facility.

The public is entitled to honest services. You have consistently deprived me of honest services and the exercise of my right to access Taxpayers Association records as provided in the Policies and Procedures. As previously stated herein, 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]

8. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths which violated due process of law. The American people, including me, are constitutionally guaranteed the rights of life, liberty and property that cannot be taken from us except through due process of law. Since due process is a sworn duty of any action committed by any public official, in the instant case you, by your violations of due process of law nullify your actions. 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 previously, any enterprise undertaken by any public official, such as you, which 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 in the national and state Constitutions, including those secured in the First Amendment. Thus, your egregious violations of due process of law render you 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.
9. On November 16, 2020 I entered the Taxpayers Association meeting and silently handed Sheriff D'Agostini three (3) Affidavits addressed to **Deputy Jaime Toney**, and Senior Sheriff Technicians **Angela Sterling** and **Steve McCallum**, for depriving me of public services, violating their oaths of office, conspiracy against rights, and deprivation of rights under color of law.

Notification of legal responsibility is the first essential of due process of law, and un rebutted affidavits are admissible as factual evidence in any court in America. However, Sheriff D'Agostini tossed the legal documents onto my table as if to refuse them. When I retrieved the documents and again silently placed them on the table in front of the sheriff, he again tossed the documents towards two unidentified women seated on the opposite side of my table. The blonde woman interfered with due process of law by snatching the legal documents and then placing them on the chair beside her. I silently walked around the table to retrieve them, but that's when the blonde and the sheriff created a public spectacle. Then as if on cue, Chris Payne intensified the scene by loudly shouting that I was disrupting the meeting when, in fact, the sheriff had maliciously retaliated against me for publicly holding his feet to the fire—***exactly as he encouraged me to do when he first took office***—and which is my duty as an American Citizen.



It was later brought to my attention that the blonde woman is a retired member of the sheriff's clerical staff who was accompanied by her daughter seated next to her. She had no lawful authority to interfere with due process of 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 by any member of the public, 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, including members of the Taxpayers Association, in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, all of which constitute serious Federal CRIMES. The transcript of my brief interaction with Sheriff D'Agostini and the two women is attached hereto as **Exhibit B**, incorporated herein and made part hereof.

Then on November 16, 2020, a concerned individual sent me a 1.08-minute video clip of the aforementioned incident that was apparently posted on Facebook and distributed by you, Andy Nevis, in which you tagged Sheriff D'Agostini, Supervisor Shiva Frentzen, Supervisor Brian Veerkamp, Supervisor Sue Novasel, Supervisor John Hidahl, District Attorney Vern Pierson, Commissioner James Williams, and Commissioner Gary Miller. All except one of the aforementioned individuals have received from me notifications of legal responsibility for violating their Constitutional oaths of office, which were accordingly entered into the public record during Board of Supervisors meetings in the form of un rebutted Affidavits of Truth. The video you posted to Facebook generated considerable controversy and negative comments about me, including a false complaint made to you by the blonde woman who *unlawfully* grabbed the legal documents. After the meeting adjourned, the blonde woman exacerbated the situation with her unnecessarily melodramatic order to "Back up! Back up!" It is a fact that I never even approached her because I was on the opposite side of the table when I asked her to identify herself. Then she falsely claimed that I committed a crime by "touching" her when it was evident she interfered with due process of law by apparently acting as an unauthorized agent on behalf of the sheriff to impede my lawful actions protected in the First Amendment with my right to redress my grievances to

government. Government is the SERVANT of the people, not the belligerent master of the people.

10. Your Facebook posting and distribution of the one-minute video clip is a malicious and defamatory attack on my character. Furthermore, the subsequent email you sent on November 11, 2020 subject title of "Notice of Potential Taxpayers Association Disciplinary Action" has no merit or lawful standing. You state that the Board of Directors will be meeting in closed session (date to be determined) to review the allegations against me and determine any disciplinary action. See Exhibit C, attached hereto, made part of hereof, as if fully incorporated herein.

You have no lawful authority to hold a tribunal at an undisclosed time, to take disciplinary action against me, or to act as judge, jury and executioner when I have done nothing other than to appropriately exercise my Constitutional rights. I have been a paid member of Taxpayers for over 12 years in addition to being a candidate for Director of the Association. You have no legal standing to make your demands, or to discriminate against me by refusing to recognize me at upcoming public meetings. It is you, Andy Nevis, who have violated your oaths of office and maliciously maligned my good name in an attempt to "destroy" my reputation by evidently picking up the gauntlet that Al Hamilton laid down. In fact, your email appears to be written by a lawyer who has an axe to grind. Exercise of rights cannot be converted into a crime. Pursuant to your oaths, as described herein, by your own unlawful actions you have violated, restricted, and denied my inherent constitutionally guaranteed rights and due process of law. Furthermore, you egregiously harmed me by conspiring with county officials and other individuals to suppress my inherent right of free speech, preventing and/or restricting my access to government officials, and depriving me of information or 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*.

11. By conspiring with other government officials, you have denied me due process of law as stated within the Bill of Rights. Constitutionally-compliant due process of law clearly requires that ALL Constitutionally-secured rights and ALL aspects of due process of law be upheld. Your repeated attempts to bully, discredit, defame, and censor me are in defiance of the Constitution(s), and your discriminatory actions are a direct assault upon my due process rights in the Constitutions, including rights secured in the First Amendment. Constitutionally-secured inherent rights and due process of law are guaranteed to me and all American Citizens. The requirements of *Tweel*, cited above, are incumbent upon you in both your personal and professional capacities. By your own actions, pursuant to your oaths, you have violated these First Amendment guarantees, betrayed the Public Trust, and perjured your oaths of office.

"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in

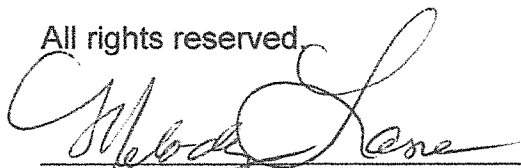
constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation." (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988).

By your stepping outside of your delegated authority, you lost any "perceived immunity" and you will 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:

Lawful notification has been provided to you stating that if you, Andy Nevis, 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 fifteen (15) days of receipt thereof, by means of your own **written, sworn, 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

12/4/20

Date

(See attached California Notarization)

Attachments:

- Exhibit A – Lori Parlin notarized affidavit – Al Hamilton
- Exhibit B – 11/3/20 Taxpayers/D'Agostini Transcript
- Exhibit C - Andy Nevis – Disciplinary Action email

CC: Charles DelGado, CA Water Resources Control Board
Eileen Sobek - Executive Director, CA Water Resources Control Board
Taxpayers Association of EDC, Secretary Todd White
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

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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.

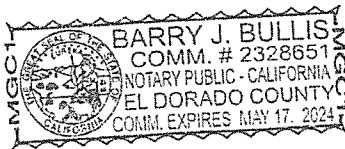
State of California
 County of EL DORADO

Subscribed and sworn to (or affirmed) before me
 on this 4th day of DECEMBER 2022
 by _____ Date Month Year

(1) MELODY LANE

(and (2) _____),
Name(s) of Signer(s)

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 reattachment 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: _____

BELOW IS THE SWORN AFFADAVIT OF FACT BY LORI PARLIN,
THE WRITTEN RECORD OF EVENTS CONCERNING THE
TAXPAYERS ASSOCIATION OF EL DORADO COUNTY MEETINGS
ON NOVEMBER 7 AND 14, 2016

I, Lori Parlin, the undersigned, do solemnly swear, declare and depose:

- 1) That I am over the age of 18 years and competent to state to the matters set forth herein;
- 2) That I have personal knowledge of the facts stated herein
- 3) That all the facts stated herein are true, correct, and certain, admissible as evidence, and if called upon as witness, I will testify to their veracity.

On Monday, November 7, 2016, at the conclusion of the weekly Taxpayers meeting held at Denny's in Placerville, California, I was talking to Melody Lane while seated across the table from her. Out of the corner of my eye I noticed that Al Hamilton, the President of the Taxpayers Association, was approaching us from behind Ms. Lane. My first thought was that Mr. Hamilton was coming over to talk to me about the Association's refusal to give me an application for membership. Instead, Mr. Hamilton leaned forward, over Ms. Lane's shoulder, and gestured with his hand toward her purse. He then asked if her audio recorder was on, inside her purse. She replied no, it was off because the meeting was over and it was inside her purse. Mr. Hamilton proceeded to tell Ms. Lane that she could not record the meetings without announcing to the entire room that she was recording the meeting. Ms. Lane replied that the law was very clear that no such announcement is necessary when public officials are speaking. Ms. Lane then got up out of her chair to address Mr. Hamilton face to face. There was arguing between them about the audio recordings. At some point during the arguing Mr. Hamilton said that he would call the Sheriff and have Ms. Lane removed from the building for causing a disturbance. Finally, Mr. Hamilton threatened Ms. Lane by saying that he would see to it that her reputation was destroyed in the county. I was shocked to hear him make such a threat, especially his use of "I" and "destroy" in his language. Ms. Lane then asked if Mr. Hamilton was threatening her. He said, no, that was not a threat. I then asked what exactly he meant by those words because it also sounded like a threat to me. Mr. Hamilton then backpedaled from his original statement and said that Ms. Lane's own actions would ruin her reputation in the county. I don't remember exactly how the conversation ended because I was shaken up by Mr. Hamilton's threatening words and tone.

At the beginning of the weekly Taxpayers meeting on Monday, November 14, 2016, Mr. Hamilton made an announcement that Ms. Lane was audio recording the meeting. He went on to say that at the prior meeting he had simply stated that he would call the Sheriff if Ms. Lane causes a disturbance during meetings. At some point during the meeting, Mr. Hamilton jokingly asked the group if he should take a vote to decide whether Ms. Lane was causing a disturbance. Given his threats the week prior, Mr. Hamilton's suggestion to call the Sheriff to remove Ms. Lane from the room appeared to be an intimidation tactic.

#

EXHIBIT A

I, Lori Parlin, the Undersigned Affiant, depose and certify being first duly sworn on oath according to law, deposes and says that I have written the forgoing with intent and understanding of purpose the 2 page Affidavit above and that the matters stated herein are true, correct, complete and just to the best of my information, knowledge and belief.

Lori Parlin

Lori Parlin

11-28-16

Date

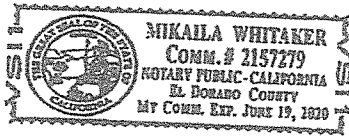
Notary Public for California

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 28th
day of NOVEMBER, 2016, by LOZIE A. PARDIN

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



(Seal)

Signature 

11/16/20 Taxpayers Association Meeting – Sheriff D’Agostini

Entering the 11/16/20 Taxpayers Association meeting, I SILENTLY hand the Sheriff a letter addressed to him clipped to three Affidavits of Truth concerning EDSO staff misconduct. Before I could take my seat, the Sheriff tosses them onto the table next to me as if to refuse them. I SILENTLY pick them up and place them on the table next to where he is standing addressing the group. Again, the Sheriff picks up the documents off the table and tosses them towards a large blond woman seated across the table from me.

As the blond pulls the documents towards her, Sheriff D’Agostini steps in front of me.

Sheriff D’Agostini: Thank you Melody. Have a seat.

Melody Lane: Special delivery. You just refused due process of law.

Before I can take my seat, I notice the blond woman places the legal documents on the chair next to her, so I SILENTLY walk around the end of the table and reach to retrieve them from the chair. Simultaneously the following occurred:

D’Agostini: “Wait a minute!”

The blond quickly snatches the documents from the chair out of my reach, and in the process she firmly grabbed my right wrist while exclaiming, “Don’t touch me!”

D’Agostini: Whoa! Hey! Hey! Hey!

Melody Lane (addressing the large blond): You have no authority to take that.

D’Agostini: You served this on me, is that what you’re saying?

Melody: Special delivery.

Chris Payne (loudly): That’s inappropriate! You’re interrupting the meeting!

D’Agostini: Is that the purpose? I have it. You served that on me?

Melody: Special delivery.

D’Agostini: Served! Thank you. OK. Staffing...we are doing pretty good...

###

After the adjournment of the meeting I am gathering my belongings on the opposite side of the table from the Sheriff and the two large women:

Melody Lane: I don’t know who you are, but you have no authority to take...

Blond (who is now standing on opposite side of table and extending her palms across the table towards me): Back up. Back up! Back up!

Melody: You have no authority...

D’Agostini: She’s not going to talk to you Melody. Go!

Melody: Is that your daughter?

EXHIBIT B

D'Agostini: No.

Blond: No.

Melody (addressing the blond): Who are you?

Blond: As soon as you touched me you committed a crime.

Melody: No, YOU committed a crime.

Blond: You grabbed my arm first. (She again melodramatically extends her palms across the table towards me) Back up!

Melody: Listen...

Blond: Back up! Back up! (I was NOT approaching her)

Melody: You need to...

Blond: (hands still melodramatically extended across the table) Back up! Back up!

Melody: No. I'm just standing right here. (We are still on opposite sides of the table.)

Blond and her daughter now both extending their arms melodramatically: Back up! Back up!

Melody: You had no authority to interfere with due process of law.

Blond: Go!

Melody: You just interfered with official business...

Blond & daughter: You need to go. You need to go!

Melody: You had no authority to do what you did; either of you girls. You have violated the law, and you know it too, John.

D'Agostini: No, you have.

Melody: No I have not. You have been served.

D'Agostini: Have a nice day. Have a nice day.

###

EXHIBIT B

From: Andy Nevis [mailto:andynevis@gmail.com]
Sent: Sunday, November 22, 2020 2:41 PM
To: Melody Lane
Subject: Notice of Potential Taxpayers Association Disciplinary Action

Ms. Lane,

The purpose of this e-mail is to notify you of an accusation which could result in disciplinary action against your Taxpayers Association of El Dorado County (Association) membership.

The complaint regards your behavior at the Association's meeting on November 16, 2020. As documented by video, you disrupted the guest speaker's presentation, did not desist when requested, and physically grabbed the arm of a fellow attendee. Following the meeting, you once again engaged the attendee you grabbed and failed to back away despite repeated requests.

As a Taxpayers Association member, you are expected to abide by the Association's Policies and Procedures (attached). Among these procedures, attendees are expected to refrain from speaking unless called upon by the moderator, treat each speaker and fellow attendees with respect, and avoid personal attacks.

Pursuant to Section III(9) of the Bylaws, violation of the Policies and Procedures can be grounds for discipline, up to termination of membership. The Board of Directors will be meeting in closed session (Date to be determined) to review the allegations against you and determine any disciplinary action.

Prior to this meeting, you have the opportunity to respond to the above allegations. Your response is required within 14 days of this e-mail, by December 7, 2020. As part of the response, I encourage you to express whether you agree to abide by the Association's Policies and Procedures and avoid disruptions at future Association meetings. Your response will be shared with the Directors and you will be notified of their decision.

In the meantime, pursuant to my duty outlined in the Policies and Procedures to maintain decorum, I have determined that based on the above allegations there is fair reason to believe you will not follow our meeting conduct policies. If you choose to attend our upcoming public meetings, you will not be recognized. I will reevaluate this determination when I receive your written reply.

Please let me know if you have any questions about what is written above.

Sincerely,
Andy Nevis
President, Taxpayers Association of El Dorado County

Exhibit C

AFFIDAVIT/DECLARATION OF TRUTH

Tiffany Schmid
Director Development & Planning Services
2850 Fairlane Court
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, Tiffany Schmid, acting as Director of Development and Planning Services, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, 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 15 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."

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*.

(Refer also to Marbury v. Madison - "The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution is null and void of law.")

We live in the United States of America, a country where the highest of public officials are held answerable to the law, even when they find it to be inconvenient to their own personal objectives, policy or practice. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein.

Any act committed by you, Tiffany Schmid, acting as Director of Planning and Development Services, 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, Tiffany Schmid, 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:

CLAIMS AND AVERMENTS:

1. You've been apprised of numerous unlawful practices within your department and jurisdiction, including falsification of records, yet you've failed to take any corrective action. For example, the transparency and accountability in the administration of the River Management Plan (RMP), and the public's right to address their grievances concerning the RMP, have been blatantly avoided literally for decades by county staff. Your predecessor, Roger Trout, was served with notice of his legal responsibility to take corrective actions pertaining to his role in government fraud. It is apparent that you

have followed in Mr. Trout's footsteps, and in so doing you are culpable, complicit and liable for aiding and abetting the perpetuation of government fraud.

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.

When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud, and such fraud vitiates any action. *See United States v. Throckmorton.*

2. You, Ms. Schmid, have ignored my numerous requests to respond directly to me and not through any of your staff. You are well aware that CAO Don Ashton and Sheriff D'Agostini have UNLAWFULLY blocked my ability to communicate electronically with staff under your direction and control. For example, Code Enforcement representative Todd Young can email me, but I cannot email him. My correspondence was directed to you for action, therefore it is ***your responsibility*** to respond rather than pass the buck to those who work under you and are in the habit of being unresponsive to constituents.

This is relevant to the matter of the update on the Villa Florentina SUP revocation process, as well as the Coloma Resort SUP and American River Resort SUP revocations. You personally failed to respond to me, as did Supervisor Lori Parlin who was tasked to ensure follow-up to the aforementioned specific concerns to our community. Your silence indicates you have something to hide, thus making you complicit in obstructing my First Amendment rights to petition government for redress of grievances and depriving me of due process of law. *See U.S. versus Tweel, [Supra.]*

3. A copy of the Joseph Prutch warning letter concerning excessive noise levels emanating from the Coloma Resort that were far and beyond the decibel levels permitted in the Quiet Zone of the S. Fork American River, as well as annual incidents of illegal fireworks, was brought to your attention for immediate action. As you are well aware, EDSO has been reluctant to respond to calls by residents about such illegal activities endangering the safety of those of us who live on the northeast side of the South Fork American River. You have also been made aware that there is **no emergency evacuation plan/route in the event of yet another Mt. Murphy arson fire.** There have already been 5 arson fires within an 8 year period that were ignited either directly on my property, or within ¼ mile of my property bordered by the Marshall

Gold Discovery Historic State Park. It is an abuse of the public trust for you to ignore these issues until disaster eventually strikes this region.

To add insult to injury, you have been apprised that the Coloma Resort has publicly libeled and slandered me and my organization, Compass2Truth, for exercising our rights to obtain public information concerning their flagrant activities in violation of the RMP and their Special Use Permits (SUP).

Mr. Prutch's warning letter indicated there may have been update(s) to the Coloma Resort's SUP #93-03; however Planning and Development staff have been reticent to respond to my previous CPRA requests for information in that regard. These matters have been discussed at length in several meetings before with CAO Don Ashton, former Planning and Development Director Roger Trout, District #4 Supervisors, and County Counsel. The purpose of our meetings were clearly delineated, but have been met with consistent stonewalling, nor has there ever been a response from any of the aforementioned public officials as required by law and pursuant to their oaths of office. Your abuse of the public trust, and failure to lawfully respond to constituents, makes it evident that you are maintaining the status quo and depriving the public their First Amendment rights to petition government for redress of grievances.

All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them. Transparency and accountability are EDC Core Values as stated within the Good Governance policy. Therefore, the burden falls upon your shoulders to appropriately respond in a timely and transparent manner to constituent concerns pursuant to your oaths of office:

"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..."

Any enterprise, undertaken by any public official, such as you, who 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.*

4. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. Despite my numerous inquiries, it is apparent you have something to hide. As previously mentioned, there has

been no response forthcoming from you or staff under your supervision and control. Depriving the public of honest services is a federal crime.

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 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. You have failed your fiduciary responsibilities and duty. By your unlawful actions and abuse of the public trust, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me. *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. Violations of the RMP have particular relevance to the SUP violations and other unlawful activities primarily taking place at the American River Resort, Coloma Resort, and Villa Florentina. As stated below in **Element 4 of the RMP**, Planning and Development is required to maintain all records of the RMP/SUP violations and accordingly take the necessary actions for SUP revocation. Formal petitions and other correspondence containing pages of resident signatures requesting the SUP revocation process be implemented for the aforementioned business establishments have apparently disappeared from the Planning Department files, thus you have deprived me of such records necessary for redress of grievances and due process of law. The RMP specifically states in **Element 4 – Monitoring and Reporting Programs**:

4.3 Public Comments/Complaints

4.3.1 Landowners, residents and river users will be provided with standardized comment/complaint forms. These forms will be distributed in annual landowner/resident informational mailings and made available at river-area kiosks. The forms will include checklists for comment/complaint type, occurrence date and time, location and descriptions of follow-up actions(s).

4.3.2 The County Department of General Services will continue to operate a telephone line and voicemail system dedicated to receiving comments and complaints related to river management issues. Reported traffic and trespass issues will be forwarded to the **Sheriff's Department for action.**

4.3.3 **Public comments/complaints will be distributed by the County Department of General Services to the County Planning Department (Planning Department) and Sheriff's Department. This information also will be tabulated in the County Parks data base, spatially recorded in the County GIS, and reported in the post-season report.**

4.8 Noise Monitoring – The County will develop and implement a system for conducting noise monitoring and reporting for noise sensitive areas near project area campgrounds and at other sensitive locations along the river, with focus on areas within the Quiet Zone.

4.8.1 Observed or reported violations of Quiet Zone regulations or County noise standards will be reported to the County Code Enforcement Officer or the Sheriff's Department, as appropriate, within 2 working days of the occurrence.

4.8.2 More than two noise exceedance citations per year issued to SUP holders may result in a formal hearing considering the noise exceedances and the possible imposition of fines and other disciplinary measures on violators.

4.8.3 More than two noise exceedance citations in two consecutive years may result in a formal recommendation for limitation or revocation of an SUP to the County Code Enforcement Officer and Planning Director.

It is evident that Case File reports and Citizen Arrest forms have never been forwarded by the Sheriff's Department to you for action as required in the RMP Element 4.3.2 and 4.8.3 as stipulated above. Despite a history of numerous meetings with staff, requests for investigation, coordination of services, and appropriate follow up, you have remained unresponsive to these concerns and violations of public policy. This highly suggests your collusion with other county staff to deprive Citizens, in the instant case me, of honest public services and First Amendment rights to due process of law. See USGC Title 18, Sections 241 & 242.

6. 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 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.

Issues relevant to the topics of public safety and retaliation against Citizens that I have addressed to you have been ignored, particularly as it pertains to the River Management Plan, and the lack of code and law enforcement. Public Record Act requests for information pertinent to the River Management Plan are routinely ignored, are late, or are insufficiently responded to as required by law.

On numerous occasions you have failed to respond appropriately to correspondence regarding the aforementioned issues and/or failed to lawfully provide public information. Not only are your actions, or lack thereof, discriminatory and in violation of public policy, they constitute fraud and dereliction of your fiduciary obligations to Citizens whose taxes pay your salary. You, Ms. Schmid, have failed your fiduciary responsibilities and duty, and in so doing, have deprived the rights of the People, in the instant case me, and thus violated your oaths of office. . *Refer to California Public Records Act (Government Code Section 6250 et seq.).*

7. If the aforementioned public officials referenced above 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 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.*

Additionally, when you, Tiffany Schmid, have knowledge of wrong doing, but fail to take remedial action against employees under your jurisdiction, namely those in Planning and Code Enforcement, then you become complicit and liable for aiding and abetting their unconstitutional actions against me. On numerous occasions you have been provided notice that staff within your department violated First Amendment guarantees, betrayed the Public Trust, and perjured their oaths of office. Thus you, Tiffany Schmid, as an individual, can also be held personally accountable and liable for any and all harm you have inflicted upon me and my inherent, constitutionally secured rights by your failure to take remedial action, to wit:

*"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.**" (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988). [Emphasis added]*

See also: TANZIN v. TANVIR (a) Stewart v. Dutra Constr. Co., 543 U. S. 481, 487 (2005). The phrase "persons acting under color of law" draws on one of the most well-known civil rights statutes: 42 U. S. C. §1983. That statute applies to "person[s] under color of any statute," and this Court has long interpreted it to permit suits against officials in their individual capacities. See, e.g., Memphis Community School Dist. v. Stachura, 477 U. S. 299, 305–306, and n. 8 (1986). In

1871 Congress passed the precursor to §1983, imposing liability on any person who, under color of state law, deprived another of a constitutional right. 17 Stat. 13; see also Myers v. Anderson, 238 U. S. 368, 379, 383 (1915); See: Procurier v. Navarette, 434 U. S. 555, 561–562 (1978); Siegert v. Gilley, 500 U. S. 226, 231 (1991) [Emphasis added]

8. Whenever constitutional violations are committed by public servants, such as you, there are constitutional remedies available to the people. Such remedies make those who violate their oaths, such as you have done, accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public servants, such as you, take oaths, yet are ignorant of the constitutional positions and mandates to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud.

By your own actions and the actions of other public officers, it is clear that you have violated all of these requirements in letter and spirit, thus, you have violated the law, the rights of the people, and have perpetrated ongoing government fraud as your usual custom, practice and policy in accordance with that of the other aforementioned public officials. *See USGC Title 18 Sections 241 and 242. [Supra]*

9. 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. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that his government officers 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.

There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or meeting requests, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then, those public officers, as are you, are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

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 including your supervisors and anyone having oversight responsibility for you, and 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:

10. Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is *no discretion* on the part of public officers, such as you, 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 those superiors referenced above 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 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.

11. 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, as you did on several occasions, which are now a matter of public record. By your actions and in some cases, inaction, it is clear that you have violated on numerous occasions each and every one of the above provisions and in so doing, deprived me of my rights secured in the First Amendment, violated due process of law, defied the Constitutions, and perjured your oaths.

As herein described, by your actions 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 vacated your office, thereby you invoked the self-executing Sections 3 & 4 of the 14th Amendment, and forfeit all benefits thereof, including salaries and pensions,. See: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.

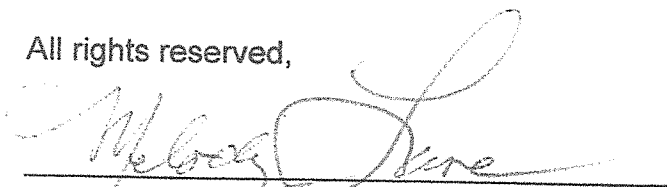
Lawful notification has been provided to you stating that if you, Tiffany Schmid, do not rebut the statements, charges and averments made in this Affidavit/Declaration, then, you tacitly agree with and admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut to me that with which you disagree, with particularity, within fifteen (15) 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

9/24/21
Date

(See attached California Notarization) T.A

CC: Dist. #1 Supervisor John Hidahl
Dist. #2 Supervisor George Turnboo
Dist. # 3 Wendy Thomas
Dist. #4 Supervisor Lori Parlin
Dist. # 5 Supervisor Sue Novasel
CAO Don Ashton
HR Director, Joseph Carruesco
District Attorney Vern Pierson
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 }

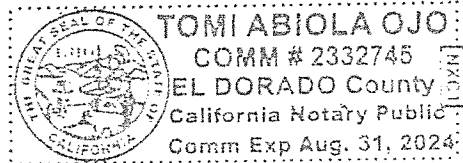
Subscribed and sworn to (or affirmed) before me on this 24th day of September, 2021
Date Month Year

by Melody 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: Affidavit / Declaration of Truth

Document Date: 9/24/21

Number of Pages: 10

Signer(s) Other Than Named Above: _____