



James Bennett <359116james@gmail.com>

test

Mays, Matthew <Matthew.Mays@sdsheriff.org>
To: James Bennett <359116james@gmail.com>

Wed, Aug 9, 2017 at 3:21 PM

Sir –

I spoke to several people including Clerk Garland, Judge Stern, and the supervisor in charge of the Civil Records division. The way this was explained to me was the Register of Actions (ROA) is simply a record of what is going on in a court case. It is not a factual document; meaning if the record incorrectly states party A won the case and in actuality party B won the case, it is what happened in the courtroom that is the fact. A dispute about what is on the ROA is a dispute about how the court keeps their records not a dispute of facts.

I was told when the ROA is updated in every case, all of the records are updated. For example, if my name was spelled Mayes on the record and then it was fixed to Mays, all of the Mayes referring to me would be changed to Mays - in all the documents not just the first. In this case, Bank of America and Deutsche Bank both had interest in the property and when a new attorney became part of the case, he updated the record from Bank of America to Deutsche Bank for whatever reason. In this case it states Bank of America for the Benefit of Deutsche Bank instead of just Bank of America.

I was told you had already filed an Ex Parte on this issue and it was denied by the Judge.

The two penal code sections you cited PC 132 and PC134 do not apply. These refer to offering documents as evidence or producing for fraudulent or deceitful purpose. The ROA is not evidence but a record of what is occurring in the case. These elements are not met. This is a civil matter and must be brought up to the court for relief. The District Attorney's Office is not the avenue for this issue.

C§ 132. Offering False Evidence

Every person who upon any trial, proceeding, inquiry, or investigation whatever, authorized or permitted by law, offers in evidence, as genuine or true, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged or fraudulently altered or ante-dated, is guilty of felony.

C§ 134. Preparing False Documentary Evidence

Every person guilty of preparing any false or ante-dated book, paper, record, instrument in writing, or other matter or thing, with intent to produce it, or allow it to be produced for any fraudulent or deceitful purpose, as genuine or true, upon any trial, proceeding, or inquiry whatever, authorized by law, is guilty of felony.

I wish you well with your case. Sorry I could not be of more help.

Matthew Mays

Vista Patrol Station Detective Sergeant

From: James Bennett [mailto:359116james@gmail.com]

Sent: Wednesday, August 09, 2017 2:39 PM

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