

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Marianne Matherly
Clerk of Court

Office of the Clerk
501 "I" Street
Sacramento, CA 95814

Divisional Office
2500 Tulare Street
Fresno, CA 93721

September 24, 2018

Case Number: ^{mce} 2:18-CV-02594-KJN

Case Title: ROBERT A. GIBBS, vs. COUNTY OF SHASTA, ET AL.

Dear Litigant,

You are hereby notified that the above case number has been assigned to your action. You are to include the complete case number on all documents sent to the court for filing in this case. Failure to do so results in delayed processing of your documents.

All matters in this action shall be sent to the following address until further notice:

Office of the Clerk
United States District Court
Eastern District of California
501 "I" Street, Suite 4-200
Sacramento, CA 95814

For timely processing of your pleadings or correspondence, please comply with our Local Rules of Court, in particular:

Local Rule 133 The court requires an original plus one copy of each document sent for filing. If you desire to receive a conformed copy for your records, you must send an original and two copies of your document and a pre-addressed postage-paid envelope for us to return your copy to you.

Local Rule 135 Once the defendant(s) have served a responsive pleading, you are under an ongoing duty to serve them with copies of all documents you submit to the court. A proof of service shall be attached to the original of any document lodged or filed with the court, showing the date, manner and place of service. A sample proof of service is attached.

Local Rule 130 Documents submitted to the court must be legible, on 8-½" x 11" paper, with writing on one (1) side of the page only. Each separate document must be stapled at the top left corner and pre-punched with two (2) holes centered 2-¾" apart, ½" from the top edge of the page. Each page should be numbered consecutively at the bottom.

Local Rule 132 Every document submitted to the court must include your name, address and prisoner identification number in the upper left hand corner of the first page. The caption on the first page must include the title of this court, the title of the action, the case number assigned to this action (including all initials and letters that follow the number), and the title of your document. If you are pursuing more than one action in this court, you must submit a separate original original document and the appropriate number of copies for each action in which you want the document filed.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS Robert A. Gibbs

(b) County of Residence of First Listed Plaintiff Shasta, CA.
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
In proper

DEFENDANTS Shasta County - A municipal entity
Stephanie A. Bridgett - District Attorney of Shasta Co.
Cody Jones - Deputy Dist. Attorney of Shasta Co.

County of Residence of First Listed Defendant Shasta, CA.
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

1 U.S. Government Plaintiff

3 Federal Question *(U.S. Government Not a Party)*

2 U.S. Government Defendant

4 Diversity *(Indicate Citizenship of Parties in Item III)*

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACTS	PERSONAL INJURY	PERSONAL INJURY	PROPERTY/RENTALS	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity):*
4th, 8th, 14th Amends. to U.S. Constitution

Brief description of cause: malicious prosecution, false imprison, intentional emotional injury...

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 3,600,000⁰⁰ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY *(See instructions):* JUDGE _____ DOCKET NUMBER _____

DATE August 21st, 2018 SIGNATURE OF ATTORNEY OF RECORD Robert A. Gibbs prose

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

Robert A. Gibbs #510503
Name and Prisoner/Booking Number

Shasta County Jail
Place of Confinement

11655 West St.
Mailing Address

Redding, CA. 96001
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Robert A. Gibbs
(Full Name of Plaintiff) Plaintiff,

v.

CASE NO. 2:18-cv-02594-mce-KJN
(To be supplied by the Clerk)

(1) County of Shasta ~ a municipal entity
(Full Name of Defendant)

(2) Stephanie A. Bridgett ~ as an individual
and in her official capacity as District Atty.

(3) Cody Jones ~ as an individual and in
her official capacity as Dep. District Atty.

(4)
Defendant(s).

CIVIL RIGHTS COMPLAINT
BY A PRISONER

- Original Complaint
- First Amended Complaint
- Second Amended Complaint

Check if there are additional Defendants and attach page 1-A listing them.

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

28 U.S.C. § 1343(a); 42 U.S.C. § 1983

28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

Other: _____

2. Institution/city where violation occurred: Shasta County Superior Court / Shasta Jail.

B. DEFENDANTS

- 1. Name of first Defendant: County of Shasta, CA. The first Defendant is employed as:
~ a municipal entity at Redding, CA.
(Position and Title) (Institution)
- 2. Name of second Defendant: Stephanie A. Bridgett The second Defendant is employed as:
District Attorney of Shasta County at Redding, CA.
(Position and Title) (Institution)
- 3. Name of third Defendant: Cody Jones The third Defendant is employed as:
Dep. District Attorney of Shasta County at Redding, CA.
(Position and Title) (Institution)
- 4. Name of fourth Defendant: _____ The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

- 1. Have you filed any other lawsuits while you were a prisoner? Yes No
- 2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 - 1. Parties: Robert A. Gibbs v. Stephanie Bridgett, Shasta County*
 - 2. Court and case number: recently filed / no case number yet assigned
 - 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) pending filing
* same defendants as this complaint ~ different cause of action.
 - b. Second prior lawsuit:
 - 1. Parties: _____ v. _____
 - 2. Court and case number: _____
 - 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 - 1. Parties: _____ v. _____
 - 2. Court and case number: _____
 - 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: 4th, 8th, 14th Amends. to the United States Constitution, statutes prohibiting Civil Harassment, malicious pros.

2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.

- Basic necessities
- Disciplinary proceedings
- Excessive force by an officer
- Mail
- Property
- Threat to safety
- Access to the court
- Exercise of religion
- Other: malicious prosecution
- Medical care
- Retaliation

3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments. Shasta County, CA., personified by District Attorney of Shasta County and Dep. District Attorney Cody Jones have as a regular, well-settled, illegal, and unconstitutional practice, custom and/or policy the malicious, invidious and weaponised prosecution of defendants in Shasta County. For 5 years, under the direct supervision of District Attorney Stephanie Bridgett and former District Attorney Stephen Carlton, numerous Dep. District Attorneys have deliberately, unconstitutionally and maliciously prosecuted my person, including current Dep. District Attorney Cody Jones. Using such tactics as deliberate, repeated use of irrelevant and un-charged "accusations", deliberate, repeated use of highly prejudicial non-evidence used deliberately to inflame and politicise my case, deliberate, repeated mis-characterisation of alleged facts, deliberate, repeated mis-statement of law and facts, deliberate repeated manipulation of the Court, deliberate, repeated denial of discovery, deliberate, repeated filing of false and mis-leading pleadings, deliberate, repeated use of retaliation, and other thoroughly deplorable and unethical legal tactics, this District Attorney has systematically, completely and utterly attacked, undermined and annihilated nearly every Constitutional right I have as a Criminal defendant. Furthermore, the District Attorneys actions have so undercut and diluted my rights to due process, fair hearing and effective assistance of.

(Cont.)

4. Injury. State how you were injured by the actions or inactions of the Defendant(s).

Prolonged, illegal incarceration, loss of good time behavior credits, denial of Bail and Fair Bail hearings, grave risk of coerced plea/false, undue conviction, Severe depression and anxiety, Suicide ideation, defamation and Civil Harassment, psychological Damage ...

5. Administrative Remedies:

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? Yes No
- b. Did you submit a request for administrative relief on Claim I? Yes No
- c. Did you appeal your request for relief on Claim I to the highest level? Yes No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. NO administrative remedy.

Robert A. Gibbs, plaintiff
c/o Shasta Co. Jail #510503
Shasta County Jail
1655 West St.
Redding, CA. 96001

United States District Court of California

②

Gibbs v. Bridgett, et. al.

Statement of Claim Continued;

Counsel and to absolutely insure a false Conviction. Abrogating every single shred of Neutrality or fairness, the Shasta County's District Attorneys, with the full approval of the Shasta Government, have for many years had the well-settled and scarcely concealed policy or custom of maliciously prosecuting Criminal defendants. Many of the people who work in the Shasta "Justice" System have and openly display a Judicial philosophy that every defendant is guilty and that no under-handed, unconstitutional or out-right illegal tactic should be left unused in an attempt to prosecute them. When seen in the full light of a public defender System that very often underserves defendants, an absolutely incompetent defense investigators unit, and many Judges who are either unaware of how many unconstitutional practices are actually occurring or cannot bestir themselves to intervene and it becomes clear that the entire Shasta Justice System has become skewed towards prosecutions.

There can be no doubt that the district attorneys office is well aware of these practices and deficiencies and simply do not care. I have personally observed, for several years, an atmosphere of contempt, anger, enmity and hatred for defendants that goes way beyond any conception of merely zealous or rigorous prosecution. There is a very fine line between zealous and persecutory and the Shasta District Attorneys have long since crossed that line. Their "prosecutions" are charged with so much invective that you can observe in defense attorneys an obvious and marked reluctance

Robert A. Gibbs, Plaintiff
776 Shasta Co. Jail #510503
Shasta County Jail
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United States District Court of California

③

Gibbs v. Bridgett, et. al.

Statement of Claim Continued;

to put up more than token resistance. Defense attorneys are demoralised and at a complete loss. Judges are rocket-docketing cases so quickly that defenses can never even catch up to prosecutions. Bail hearings are nearly non-existent after the original setting of bail, pre-trial hearings are mis-handled, affirmative defenses are ignored and there are no attempts to re-visit or rectify any of these denial of rights. In my cases, several assigned District attorneys, including Cody Jones, have withheld crucial, exculpatory discovery in an obvious attempt to gain unfair advantage. Cody Jones has repeatedly attempted, very often successfully, to manipulate the Court by mis-representing evidence, the law and using highly prejudicial, irrelevant non-evidence to keep my defense teams off-balance. Cody Jones, under the direct supervision of D.A. Stephanie Bridgett, has tampered with evidence and submitted it to the Court (resulting in a denial of bail). Cody Jones has communicated ex parte with the Judge making deliberately false accusations against me (that the Judge repeated on the record, causing a row in court). Cody Jones, at the direction of Stephanie A. Bridgett, has done everything she can to coerce my plea, knowing full well that their cases against me are incredibly weak and I have not received due process.

In fact, it is very apparent that this D.A.'s tactics are being utilised with reckless disregard in my case, specifically, because they know they have already all but lost their cases and they are desperately attempting to coerce a plea so it will all "go away." They seem to take no responsibility whatsoever for the fact that it...

Robert A. Gibbs, Plaintiff
c/o Shasta Co. Jail #510503
Shasta County Jail
1655 West St.
Redding, CA. 96001

United States District Court of California

(4)

Gibbs v. Bridgett et. al.

Statement of Claim Continued;

Was their failure to vet their own charges and their blind and maniacally aggressive "prosecution" tactics which ultimately have backed them, rather than the defense, into a corner. In my case, the Shasta District attorney is being hoisted on her own petard. Neither has Stephanie Bridgett learned anything from my case. This is indicative of how insular and deluded her office has become. They have long since confused zealousness with pure aggression and facts and law with bald accusation and unchecked power. Instead of being in the vanguard of fairness and neutral prosecutions in the Shasta System, instead of setting a tone of propriety and well-reasoned adjudication, the Shasta D.A. has become the root of all evil in a thoroughly dysfunctional system. Despite the fact that it is a district attorney's responsibility to protect a citizen's basic rights, the Shasta District Attorney has shown callous indifference to my federally protected rights in her short-sighted greed to obtain an ill-gotten and grubby-handed conviction. Stephanie Bridgett repeatedly and deplorably confuses winning with justice.

Because of Stephanie Bridgett and Cody Jones' aggression, I have served twice the amount of time in County Jail I could have served if convicted of all charges and I have still not been brought to trial. I have suffered unbelievable stress, depression and suicide ideation because of the utter and undeserved hopelessness of my situation. I have had seven defense attorneys (so far), all of whom were effectively neutralized by the district attorney's combative and dishonest tactics. The tactics employed by the District Attorney have insured,

Robert A. Gibbs, plaintiff
c/o Shasta Co. Jail #610503
Shasta County Jail
1666 West St.
Redding, CA 96001

United States District Court of California

⑤

Gibbs v. Bridgett et.al.

Statement of Claim Continued;

that, at every stage of my Criminal proceedings, a fundamental Constitutional right was lost, completely prejudicing every out-come. Mis-statements by the dep. District attorney at my preliminary hearing led directly to my being held to a felony instead of a misdemeanor. Other mis-statements led directly to an aggravated bond amount. Other mis-statements led directly to the denial of my one motion to reduce bail. One mis-statement of the law has led directly to my being charged with three felonies I am not guilty of and when challenged by a 995(a) motion, instead of admitting their mistake, the D.A. mis-stated the law again, convincing the Judge to uphold the charges. Statutory procedure and Constitutional protections do not mean much when systematically undermined by unscrupulous prosecutors. Stephanie Bridgett and several others from her office, including Cody Jones, are the poster children for this type of prosecutor.

In addition to these regular practices in Shasta County, Stephanie Bridgett has also used her office to Civilly Harrass and Slander me. Several people have told me that Stephanie Bridgett has been talking to many people in the Community about me and my case, even telling them I am dangerous and guilty (neither is true). She has politicised the case because my charges are for allegedly threatening police officers and Stephanie Bridgett is married to a police officer and all her friends are police or local government. She is Singling me out for "special treatment" as a way of pandering to her police friends. She has gone so far as to have my picture posted online and at the District attorneys office reception area, telling people I'm dangerous.

Robert A. Gibbs, plaintiff
% Shasta Co. Jail #510503
Shasta County Jail
1655 West St.
Redding, CA. 96001

United States District Court of California

Gibbs v. Bridgett et. al.

Statement of Claim Continued;

Again, I have yet to be convicted of anything, despite being held without bail in the Shasta Jail for 3 years. In Shasta County, the accused are guilty until proven innocent, the accused are very often jailed pre-trial and punishments need not wait for conviction.

I am very well versed on the powers and immunities of the District Attorney and the Challenge I face in taking action to oppose her practices. However, I hereby state unequivocally that I will defend my Constitutional rights from all tyrants. Stephanie Bridgett puts on her pants the same way I do. The only difference is that Stephanie Bridgett seems to think her power gives her the right to shit on my civil rights. Wars have been fought for less. I beg this honorable Court to have the wisdom to recognize that even the elected and powerful must obey the Constitution. I am asking for the extraordinary amount of punitive damages that I am (in excess of 3 million dollars) because people who use their power to abuse good citizens must have that power checked. I would caution this honorable Court that disputes that cannot be reckoned lawfully are often taken to the streets. I am a peaceful man, but one way or another, Stephanie Bridgett must be made to see the error of her ways.

Signed under penalty of perjury,

Robert A. Gibbs

E. REQUEST FOR RELIEF

State the relief you are seeking:

I am seeking any relief the Court will order (injunctive, mandamus) that will compel the District Attorney of Shasta County to cease and desist this malicious prosecution, a Jury trial to adjudicate the facts of my allegations and Compensatory and punitive Damages not to exceed three million, Six hundred thousand Dollars as I do not believe that any less amount will Compel the Shasta County District attorney to end its well-settled practice of maliciously and unconstitutionally prosecuting Criminal Defendants in Shasta County.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
DATE

SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.