Name: Robert A. Cibbs			MC275
Address: P.O. Box 686			
Shasta CA. 96087			
Go Shosta County Jail	_		
1655 West st.			•
Redding, CA. 96001			
CDC or ID Number: Shasta key #510503			
Shasta	County Superior	Court	
	On Court St.	<del>wall</del>	
Re	dina, CA-96001		
	31	<del></del>	•
	(Court)		•
	PETITION	I FOR WRIT OF HA	ABEAS CORPUS
Robert A. Gibbs	_ \		
Petitioner	No		
vs.	—— (To b	e supplied by the Clei	rk of the Court).
Shasta County Jail, Family Court			

## INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.
- · Read the entire form before answering any questions.

Respondent Cheria Dubuque

- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct.
   Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your
  answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many
  courts require more copies.
- If you are filing this petition in the Court of Appeal in paper form and you are an attorney, file the original and 4 copies of the petition
  and, if separately bound, 1 set of any supporting documents (unless the court orders otherwise by local rule or in a specific case). If
  you are filing this petition in the Court of Appeal electronically and you are an attorney, follow the requirements of the local rules of
  court for electronically filed documents. If you are filing this petition in the Court of Appeal and you are not represented by an
  attorney, file the original and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2007). Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

Page 1 of

This petition concerns:	213
and the contract of the contra	•
A conviction Parole	• •
A sentence Credits	· •
Jail or prison conditions Prison discipline	
Other (specify): Interference with farental rights, Alienation of affection	<del>_</del>
1. Your name: Robert A. Gibbs	
2. Where are you incarcerated? Shasta County Jail	•
	•
3. Why are you in custody?  Criminal conviction  Civil commitment  pre-trial	
Answer items a through i to the best of your ability.	
a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery	
with use of a deadly weapon").  Criminalthreats	~:
Crimina Contract	<del></del>
	<del></del> .
b. Penal or other code sections: 422 p.C.	
c. Name and location of sentencing or committing court: ShaShaCounty Superior Court	- ;
500 Court St.	<del>: •</del>
Redding CA. 96001	_:
d. Case number: 15F 5736	
e. Date convicted or committed: 91112015	<u></u>
	<del>-</del> ;
f. Date sentenced: NA	<del></del>
g. Length of sentence: NA	
h. When do you expect to be released? <u>unknown</u>	: . <u>:</u>
i Were you represented by counsel in the trial court?  Yes  No  If yes, state the attorney's name and address.	
Mr. Ted Somers	
1714 West St., Suite C	<del></del>
Redding CA 9600	⁻,
	<del></del>
	•
4. What was the LAST plea you entered? (Check one):	
Not guilty Guilty Nolo contendere Other:	
E. If you pleaded not entitly what kind of trial did you have?	
5. If you pleaded not guilty, what kind of trial did you have?	٠.
Jury Judge without a Jury Submitted on transcript Awaiting trial	
	٠, 

- 6. GROUNDS FOR RELIEF
  - Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.) The Shasta County family Court inas repeated he failed to enforce my parental (ontact and his itation rights with my daughter forest H. Gibbs (D.O.B. 1-27-14). Her mother Cheria Dubuque has very serious psychological issues (psychopathologies) and refuses to respect father Idaughter relationship. Mother refuses to bring child to visit in the Jail. Shasta County Jail is illegally using Disciplinary System to retaliate against detainees which leads to a state of perpetual sanction thereby denying all visitation. Despite many requests and motions in the family court to order parties to allow and facilitate this fathers Visitation rights with minor child, the family court has ignored these requests.
  - a. Supporting facts:
    - Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See In re Swain (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.) 🛴 have. been unlawfully incarcerated by Shasta County Since September 2015. while in the Jail I have been abused by Jail deputees denied mental health and Solitary Confinement disciplinary with the Shasta County Family law facilitators office and the family Court visitation rights with my daughter the family Court has repeatedly ignored These requests and filed motions the Court to request Appropriate harmful to my daughter. In response to my letter acknowledgement that the Cou file a motion to enforce orders. Several months, usos reedlessly complicated and delayed because the mother is not compelled to the Court and when the process was completed tamily Court failed to have me transported from the Jail to altered the hearing - I and began the process over. Despite Several motions and months of waiting until February 2018. Again me hearing was delayed because the located for service. Finally in April 2018. was brought to Court the mother. attended telephonically and Judge Molly Bigelow Violated my hearing rights by Conflating my overall visit rights, with my specific request for visits Fam in ristody and completely ignored my argument that I ation like while incorcerated, thereby denicing unlawfully my right to meaningfully access the Court
  - b. Supporting cases, rules, or other authority (optional):

    (Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If the concessary, attach an extra page.) Prison inmates retain Rasanable Visitation with the Child (authority Cited necessary, attach an extra page.) Prison inmates retain Rasanable Visitation with the Child (authority Cited necessary, attach an extra page.) Prison inmates retain Rasanable Visitation of miner Children with the Child (authority Cited necessary, attach an extra page.) Prison inmates retain Rasanable Visitation of miner Children with the Court shall grant reasonable Visitation of Association and privacy Innesmith 112 Cal. App 3d 956 the Court shall grant reasonable Visitation rights to a parent 169 cal. Retr. 504 15 Att. 1712 and 1812 and 181

Continues ?

	ound 2 or Ground (if applicable):	MC-275
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	Supporting facts:	; .
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2	Relief Sought: I respectfully move this court to recognise previous	<u> </u>
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	onfile for service with the court, order an emergency hearing where father car	be "
	onfile for service with the court, order an emergency hearing where father car heard on issue of visitation while incorrected and order that mother and Jail	بمللة
	Facilitate and transport minor avild for on-going Visitation with her father.	•
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	Supra 17 Cal. App.	100 130
	22 Cal Robr. 2d 5	<u>O</u>
. :	See also: Inte Julien	
	69 Cal App 4th 4149, 1	71 (01-15
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	I you appeal from the conviction, sentence, or commitment? Yes No If yes, give the following information:  Name of court ("Court of Appeal" or "Appellate Division of Superior Court"):
b.	Result: NA c. Date of decision:
e.	Issues raised: (1)
	(2) NA
	(3)
f.	Were you represented by counsel on appeal? Yes No _if yes, state the attorney's name and address, if known
	N/A
Did	I you seek review in the California Supreme Court?  Yes  No If yes, give the following information:
•	Result:b. Date of decision:
	Case number or citation of opinion, if known:
d.	Issues raised: (1)
٠.	(2) NA
	(3)
0, if y apr	our petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on peal, explain why the claim was not made on appeal:
_	
· <del></del>	
	ministrative review:  If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhadministrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See <i>In re Muszalski</i> (197)
· .	52 Cal.App.3d 500.) Explain what administrative review you sought or explain why you did not seek such review:
	ordered to do so by the Shasta Family Court.
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b.	Did you seek the highest level of administrative review available?  Attach documents that show you have exhausted your administrative remedies.

17. Do you have any petition, appeal, or other matter pending in any court? Yes No. If yes, explain: 960  18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court.  NA  I, the undersigned, say: I am the petitioner in this action: I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and a to those matters, I believe them to be true.  Date: 4 15 2018	issue in any court? Yes If yes, continue with number 13.	No If no. skip to number 15.
(2) Nature of proceeding (for example, "nabeas corpus petition): Habboo.  (3) Issues raised: (a)	13 a. (1) Name of court: Shasta Co. Sup. Court	
(4) Result (attach order or explain why unavailable): Pending  (5) Date of decision: NIA  b. (1) Name of court  (2) Nature of proceeding: (3) Issues raised: (a)  (b)  (4) Result (attach order or explain why unavailable): NIA  (5) Date of decision: (b)  (4) Result (attach order or explain why unavailable): NIA  (5) Date of decision: (c)  (6) Date of decision: (d)  (7) Date of decision: (e)  (8) Date of decision: (e)  (9) Date of decision: (e)  (14) If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result: (e)  (15) Explain any delay in the discovery of the delatined grounds for relief and in raising the claims in this petition. (See in re Swalin (1949) 34 Cal 2(300, 304)  (15) Are you presently represented by course? (c) Yes (c) No. If yes, state the attempty's name and address, if known.  (16) Are you presently represented by course? (c) Yes (c) No. If yes, explain (1949) 11 yes St. Swite (c) (c) Swatta (white Defendent (c) No. If yes, explain (1940) 12 yes (c) No. If yes, explain (1940) 13 yes (c) No.		<u>0</u>
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Mr. Ted Somes 5  Habeus Attorney: Manager  G. Westt Public Deleter  Redding CA. 96001  17. Do you have any petition, appeal, or other matter pending in any court?  18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court.  NIA  I, the undersigned, say: I am the petitioner in this action: I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and a to those matters, I believe them to be true.  Date: 4 15 2018  Calcanture of Petitioner)	pendinghearing	
MY Ted Smers Habres Attorney: Manager 17 IV West St. Suite C 46 West Public Defender Redding CA 96001 PUS YUDGET Redding 17. Do you have any petition, appeal, or other matter pending in any court? Yes No. If yes, explain: 960 18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court.  NIA  I, the undersigned, say: I am the petitioner in this action: I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and a to those matters, I believe them to be true.  Date: 4 15 2018	15. Explain any delay in the discovery of the claimed grounds for relief and in raising to 34 Cal.2d 300, 304.)	he claims in this petition. (See <i>In re Swai</i> n (1949)
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18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court.    NA   Na   Na   Na   Na   Na   Na   Na	15. Explain any delay in the discovery of the claimed grounds for relief and in raising to 34 Cal.2d 300, 304.)  16. Are you presently represented by counsel?   WITE Some S  714 West St. Swite C	ate the attorney's name and address, if known: Habous Attorney: Margare Un Wastu Public Defender
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