

Dear Judge Flynn -

10-31-2015

If you are serious about providing me a fair trial then this is a partial list of what I will require:

1. Recognition under the principle outlined in people vs. D'ARCY that I as defendant am due "Equal footing" under and before the law as I am "weak, outnumbered and non-conformist." As I am obviously Anti-militant (non-conformist) and facing the Testimony of no less than Seven militant law enforcement officers (outnumbered) and have only a limited knowledge of the law (weak) I must demand an aggressive, compassionate and diligent lawyer. As Mr. Abart is none of the above, I must demand a substitution of an aggressive, Compassionate and diligent lawyer.

2. As my case(s) are incredibly complex and serious in nature, as I have alleged mis-conduct of most or all of the officers involved, as I have alleged that most or all of these officers have already perjured themselves and/or filed false reports, as I am already at a disadvantage and will have great difficulty in proving my case against these odds, I must demand Co-Counsel status. Such status will allow me the ability to access the existing discovery needed to form a defense. To deny Co-Counsel status will insure a lopsided outcome of my case.

3. I will require a properly executed "Pitchess" motion involving all officers to discover any and all allegations of misconduct against these officers which would impugn their testimony. I am also

demanding to file complaints against C.H.P. officer Heur and Crofoot (parole) as I was not allowed to file one against officer Heur (was told by a Sargeant at C.H.P. that they "do not take complaints against officers" when I attempted to do so) and would make a complaint of theft and unauthorised entry into my vehicle by Crofoot and parole agent Harrison. (I have a witness). The complaint against Heur is filing a false report and perjury (I have a witness). To prove my allegations of perjury against Detective Chris Edwards I will require a copy of my deposition in my federal Civil Rights lawsuit as taken by John Feser and Gary Brickwood, a copy of the record and final judgement in my Small Claims against Edwards, a copy of the record of warden Brian Boyds testimony in Judge Gallaghers Court (for the perjury of Boyd) a copy of police report filed by Edwards on 12-20-2012. To prove perjury/false report of officer Heur I will require a copy of his report. I also require a copy of the complaint I filed against Agent Crofoot with his Supervisors at parole. I also require a copy of my federal Civil Rights filing in the Eastern District Court (Judge Craig M. Kellison). I will also require an investigator to fully debrief me and then collect specific exculpatory statements from all officers and also John Feser and Gary Brickwood.

4. I will require an investigator to collect the statements of Mr. Rob Willis, Ms. Cheri Dubuque, Ms. Candy Hoover and Mr. Ken Cockeril. Also the statements of my public Defenders in the 2013 case and my original attorney in the Fish and Game case as well as Attorney Richard Cotta. All of these people are crucial witnesses. I will also require any reports and/or recordings of Primary witness Cheri Dubuques statements to Craig Ommura and his investigator. (exculpatory and crucial)

5. I will require periodic review by the Court to ensure I am able to collect all this crucial, exculpatory evidence. I will possibly require power of Subpoena to compel the timely release of this evidence. I will require Time waivers for whatever amount of time is required to obtain this crucial, exculpatory evidence. I will require the aid of an investigator and/or my attorney to obtain this crucial exculpatory evidence.

6. I will require a re-hearing (preliminary) in the original 422 p.c. case for ineffective assistance of counsel and a separation of the two cases (Crofoot and Heur's) to avoid prejudice. I was not informed of my right to confront "Declarant" witnesses, my lawyers ineffectiveness did cause for the primary charge to go unchallenged, lawyer made no effort to subpoena critical witnesses, lawyer did not challenge glaring inconsistencies in officer Heur's testimony, lawyer did not prepare, lawyer failed to ask defendant questions on the stand which would have exposed inconsistencies, defendant would have declined to testify if lawyer was properly prepared, which is de facto violation of 5th Amendment right to remain silent.

7. I will require copies of all complaints made against Judge Dan Flynn with the California Commission on Judicial Performance, by this defendant.

8. I will require a copy of my entire file as kept by the public defenders office, including all materials collected by all attorneys assigned or previously assigned to my case(s), including exculpatory statements of Mr. Edward McGuinness, Ms. Cheri Dubuque, reports of investigators and attorneys, I will require sufficient time to study said materials and reserve the right to request other materials if necessary.

9. I will require a polygraph test, said test for the purpose of exposing numerous inconsistencies in officer statements and reports.
10. I will require ongoing copies of all materials produced in court by either party be sent to me in the jail (including this letter) so that I may begin to create a case file for myself from which to work from. I will require access to the jail law library. I will require adequate telephonic access during business hours to collect exculpatory statements and/or materials.
11. I will require a psychiatric forensic examiner to compile a psycho-sociological report as well as a forensic report of immediate offense(s).
12. I will require a court-appointed expert in social attitudes to prepare a report for the purpose of mitigation and clarity.
13. I will require that the Federal Bureau of Investigation be informed of my request for a Civil Rights investigation based upon Profiling (Edwards and Gonzalez) Violation of 2nd Amend. and 4th Amend. (Edwards and Gonzalez) official Corruption and perjury (Heur, Edwards, Boyd, Crofoot). (Jackson)
14. I will require a copy of my 2013 case (arrest date 3-8-2013) as kept by the public defenders office -

This is a partial list. To deny any of these requests is to unfairly prejudice my case. I will await your response.

Sincerely,  
Robert Gibbs

P.S. Please Copy and Return Copy to me at the Jail Thank you!