

1 It's **"Justice for All"** (anything less isn't)
2 80% of litigants are unrepresented. Why?
3 It that Justice? That's my case.
4 And **publicforall.com**

5 *in pro per (because I can't afford a lawyer):*
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8 San Jose, CA 95118-1761
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10 geoffrey@mangers.org

ENDORSED

2009 JUL -6 P 3: 08

David H. Yamasaki, Clerk of the Superior Court
County of Santa Clara, California
By: A. [Signature] Deputy Clerk

11
12 In the SUPERIOR COURT OF CALIFORNIA
13 COUNTY OF SANTA CLARA.

14 GEOFFREY MANGERS,
15
16 Plaintiff,

17 vs.

18 THE COUNTY OF SANTA CLARA, ET AL
19
20 Defendants

Case No.: No. **1-08-CV-109152**

Date: July 28, 2009
Time: 09:00AM
Dept: 5

21 Motions for Leave to:

22 **1) File an Amended & Late complaint.**

23 It makes no sense to continue serving with a defective one (if in fact it is).
24 Which includes the 2nd amending I could only file with the last CM-020 (filed June 1st).

25 **2) Petition for Extraordinary Relief & Judicial Management**

(being a naïve and unrepresented litigant, now with unresolved security concerns)
This is a class action suit: using the "full heart and lungs" of Sections 378-382 of the Civil Code of Procedure.

If I must continue with a not-complex designation:

3) The ability to e-file

I have the capacity to. And will allow me the appropriate feedback I need to quickly correct the mistakes a naïve and unrepresented litigant is heir to. As well as helping with the unresolved security concerns I have.

And secondly, request the assistance of Glotrans to help in the PDF conversion of the entire file for emailing, which is extremely time consuming for me to do manually, they have the high speed scanning capacity for it.

1 **Introduction:**

2 My capacities are in fact quite limited. I do not have secretaries at my disposal. Nor paralegals or even a
3 lawyer to ask for guidance. I'd like to add a Table of Contents if I had time. In fact, I'd like to devote the rest
4 of my time to it's completion entirely. But now have some peculiar unresolved security issues dominating all.

5 This is a class action case on three levels. For which I must represent all of my class in each:
6 LPS malpractice victims, unpaid plaintiffs (cy pres), and unrepresented litigants.

7 You will see it emerge in the CM-020's I have been unable to mail. But could easily e-file them and have
8 already registered for. Once again I am late. And this filing is incomplete. Let me start with:

9 **"An Honest Broker"**

10 Implicit in Section 382 of the Civil Code of Procedure is the requirement for "An Honest Broker". Someone
11 who will lobby my defendants to join me as a plaintiff. Indeed, if they all do, this suit disappears entirely.
12 Which I've tried to explain to County Counsel who has forbidden me to communicate with them. In fact I
13 have been forbidden to communicate with **any** lawyer in County Counsel. Save one.

14 I must have the ability to interview and lobby my parties. But am finding it difficult to convince
15 my County Counsel counterpart of it.

16 ADR itself requires me to communicate with them. I must have this ability in order to sort out which should
17 be joining me (or wish to or I wish to have) as plaintiffs.

18 I am not a bill collector. The county has nothing whatever to fear from me (save all my unanswered
19 questions). They have nothing to lose. And everything to gain.

20 **Some "plain English" please.**

21 I am an unrepresented litigant and believe I'm making a good case for the plight of all the others in my class
22 who cannot afford the legal advice they so desperately need. Like what words mean. And the need for some
23 "plain English" wording on the Judicial Council forms for others as naïve as myself. Like the words
24 "prejudice" (dismissing with and without it) and "amended"..

25 **Amending the Constitution**

26 An amendment is appended. No one says the Constitution has been "amended" (Mark Bernal). We say
27 it has been *amended*. By addendment. And numbers them all. Everyone knows the 18th Amendment can
28 never be deleted. And that it can only be reversed (and was) by addition. Just like medical and police
29 records. I believe this may also be true of court records. Life is full of mistakes to be corrected. A police
30 report would be addended. A **clarification** after additional facts are discovered. Hopefully one that brings
31 smiles (or better, laughter) to **all** parties. As I hope to do for Chris Bielecki (And all the other officers who
32 were there for me that night of May 17, 2008. I just didn't know it. Until many months later. Indeed, I had to figure it all
33 out myself without benefit from the county at all. Who simply referred me to County Counsel).

34 Anyway, to continue, I see the PLD-PI may be amended and encourages me to do so many times by asking
35 me what to number each one. And comes with no warnings or any instruction sheet whatever clarifying it.
36 Which makes absolutely no sense to me at all considering how important this complaint form is and the
37 severely impacted situation at the Self-Service Center (detailed on page 3). In any event all this would have
38 quickly become clear to me had it not been for a security problem I became aware of last February. That I
39 still don't have any clear answers for. And only continues to be addended to. Affecting my confidence and
40 preventing me from showing up at court when I have wished to. Having had to discover the amending issue
41 remotely. And with too much delay. Which is why I need to be able to e-file. Not only because of the
42 complexity of this case. But also because of the still unresolved security issues (I don't have time to explain
43 at the moment, it's 12:30pm Monday July 6).

1 My argument is that the PLD-PI complaint form is too confusing for those like myself (if what the two
2 defense attorneys responding tell me is true). I believe their argument is disingenuous anyway. Claiming I
did something I clearly did not. Why should I dismiss a complaint that has consumed my life for over 3 years
now in trying to complete?

3 When I added my first amended complaint May 16, 2008 (rushing at the last minute attempting to meet yet
4 another deadline), I said nothing whatever in it about deleting the foundational complaint I filed two months
earlier (and at the last minute also in order to meet another deadline) on March 27. And wish to state for the
record that the rumors of its demise are premature. In fact, I'd call it downright unconstitutional to do
5 otherwise.

6 The Judicial Council form (PLD-PI) says absolutely nothing about deleting it either. I see no boxes that say
"Revision" (e.g. Original and Revision, making it obvious it can only be revised once. And that it deletes the
previous one. If so, then it should state so clearly. Or warn the next naïve litigant of this pothole.

7 The May 16, 2008 addendum is implicit in the *entirety* of the 1-08-CV-109152 file itself. If anyone ever
8 has a chance to read it. Which I gave (all 134 pages of the exemplified file I picked up from the court a week
earlier) to Lori Pegg last Feb 10. After having served the Board of Supervisors with it publicly in a speech I
9 gave them all in their meeting that morning. Giving the case number, CMC date and department. And
requesting organisation charts with unambiguous lines of supervision (which I'm still waiting on).

10 If the defense counsel on this item is confused, it is because they wish to be. And their motives suspect. And
only the more so should they continue in this delusion. They are *nitpicking*. Looking for any loophole they
11 can in order to get their clients out of having to own up to their misdeeds. Indeed, it is more than obvious by
their behavior that they are trying to suppress my complaint entirely. In hopes it will never see the light of
12 day. Because they know the consequences if it does. Which quite possibly may already be in flow. I'm
asked for a remedy. Perhaps it may already be upon the horizon. Maybe I will soon hear it from Jeffrey V.
13 Smith MD, JD himself: "Let's get moving there Geoffrey!". Judge Levinger herself has already scrutinized
my many extensions. And I even heard Mark Bernal himself asking me for it also. To complete this filing.

14 **"How do I file a motion?"**

15 I asked Judge Levinger at the CMC last June 2nd. Who referred me to the Self-Service Center for the answer.
I took her advice hoping the situation might have improved since my last visit a few months ago that Barbara
16 Fox advised me to do earlier when there was no line at the teller's window (where I learned I had to get there
at 6:30am along with the 60 or so others waiting in line). Or 3 years ago when you could take a ticket, wait
and hour or so and get 10 or 15 minutes of helpful advice. Hoping for the improvement, I immediately drove
17 over. Arriving at 10:23am, I put 42 minutes on the parking meter, walked in and counted 8 people waiting
for the teller's window and got in line. At 10:57 I counted 12 in line. Of which the 4 at the end simply gave
up and left. The meter would expire at 11:06 whereupon I found myself only half-way through the line.
18 Which required me to go out and attend to the problem. And would then have to start from the end of the line
again once again upon returning. Only to learn what I already knew. Before I left, I perused the wall with the
19 flyers and picked those that looked promising. And have called 882-2900 x2926 and waited to leave a
message and have several times. Two (maybe 3) calls have been returned so far. They have sincerely tried to
20 be helpful and I gave them the case number when asked. But none thus far have been able to answers my
questions. And tell me how I should file this motion.

21 I'm not a morning person, but hope someday to have my security concerns allayed enough to have the
confidence to go over and interview all those in that morning line up. And lobby them all as plaintiffs.

22 Also, at the moment I do not have time to complete the rest of this filing. And hope much of it by now will
23 be self evident to anyone who's had a chance to read the entire 1-08-CV-109152 file.

24 Indeed, all I find in any of this is that I think I making a good case for the plight of all the others in my class
of indigent, naïve and unrepresented litigants.

25 Respectfully submitted,

Dated: 7/6/09

(signature on file)

GEOFFREY MANGERS