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Opening Statement

First I wish to apologise for not having completed my opening brief which is now at 10,000 words in notes and growing and yet to be polished. I've run out of time. I wish to appear anyway because there are procedural questions I have and am a novice in all this and catching up as best I can. I would like to request a continuance.

Feel free to interrupt to ask any questions. I'd just like to be able to complete this opening statement at about 1600 words which I can do in about 11 minutes. And hope it will help answer the letter from the Deputy DA. That I find interesting and wish to thank her for. The first item that interests me is that her letter tells me that this case begins upon a privacy issue. Until further notice I have instructed El Camino Hospital to restrict access to my medical records regarding all this to myself only.

I can't afford a lawyer and am a novice in all this and will be engaging the Lanchester Settlement for legal assistance in this area. Which is too complicated to explicate it all here at the moment.

In the meantime, I would like to request the DA's office and the court to be patient and take pause until I get to know all of you and know you can be trusted. After which there is much I wish the DA's office to see. And when I feel I'm in safe hands I want them to see *everything*. And follow up on all that they will learn. But the letter I received from the DA's office leaves too many questions in my head at the moment.

I see no rush in this matter anyway which I think you will agree upon about 600 words from here when you see there is nothing whatever to fear.

The FD 4009C (why was it hidden from me?)

It took my thumbprint, \$10 for a notary, \$20 for the PFEC and several letters and phone calls to the Dept. of Justice who I found as confused as the Deputy DA in all this. But eventually came up with the FD 4009C form that by law was supposed to have been given to me 5 years ago at discharge and never was when my legal status was changed.

"substantial postjudgement judicial supervision"

Also I'd appreciate knowing of any other deadlines, forms etc. that I haven't been told about yet on the upcoming 5th and 6th anniversaries of my 5150's that both went 5250 and that to this day still have no credible explanation whatever from anyone as to why they even occurred at all. I believe if the probate dept. is allowed to explore my case to its proper completion that it will concur and agree with me on the importance of surprise inspections and maintaining what I checked off on the box on the cover sheet of my complaint that says: "substantial postjudgement judicial supervision" over the county mental health services.

My day in court

This action has nothing whatever to do with firearms anyway. The reason I'm filing this action is that if I don't, I will never again be allowed to have my day in court to get some answers as to how my legal status came to be changed as negatively as it has on my second 5150-5250 but not on my first and has been allowed to remain so for as long as it has.

Habeas Corpus

Also I need to introduce myself to the probate court eventually anyway on **Habeas Corpus** and file the MC-265 form which has produced some lively conversations with Chris Gonzalez on the matter and would like to get a second opinion on from your court to know if I need to file it in the Sixth District Appeals Court court first. There's some other items I need to complete there also anyway. My Appellant's Opening Brief and recalling a remittitur of a complex case misdesignated as not which now lies here locked in remittitur as all such misdesignated cases eventually will anyway. Should the recall fail I need to be prepared for the petition to the US Supreme Court itself should the state one fail. And it is not yet clear to me that a case misdesignation is even appeal-able. The probate court is a part of my suit anyway which I'm beginning to realise in the final analysis is an *educational* problem. Which is why I've been giving speeches to various Boards etc. Which I need to do more of. And hoping to improve upon in that area. It's immensely frustrating to "know what it all is" and lacking the "high-speed microchip brain interface" (or writers and secretaries) not be able to get it all down fast enough. And beset by constant technical problems I hope I'm finally seeing the end of. I'm not good at handling the paper my desk overflows with that I haven't seen the bottom of in years now. And then there's life's constant intrusions. And having to explain the delays to the court each time. And amazed I've gotten as far as I have. I believe in mental health. Try a lifetime beginning with a severe stuttering problem if you want to know why. I've had to do it on the cheap all my life and know what it is and know when I've been had.

To continue.. this one's interesting:

Why am I a defendant for *initiating* an action?

I don't get it. I gather I would be able to withdraw this action at any moment if I wish -- or am I mistaken. Has the "die been cast"? As I understand, even if the ruling is favorable and I'm able to clear my name in California, it will be fruitless anyway because I have a lifelong federal firearms ban. "What did I do?"

The 2nd Amendment

The Deputy DA's letter leads me to believe that the burden of proof lies upon myself to prove I can handle a firearm safely and lawfully. Which I wish to put to rest as quickly as possible.

I can handle a firearm as well as the next person and as safely. Which is why I've never owned one. I may be crazy but I'm not stupid. And have about as much desire for one as I would to be living with a rattlesnake. Which I wouldn't know how to handle safely either.

I believe the less bullets flying around the better. And already have enough liability to worry about as it is upon the roads trying to keep the ton of steel I drive, out of harms way. And long for the day when an accident proof one appears. As well as a firearm.

Whether I can operate a firearm safely and lawfully is completely irrelevant anyway. No such clause exists in the 2nd Amendment.

Here's another one. This is a public hearing. If I am to live in an armed society I don't like the idea of those that are, getting the idea that I might not be. I'd like them to think twice before pulling one on me.

A "blue suicide" epidemic.

Finally, it is truly beyond my comprehension that anyone would want to end their life in such a grizzly fashion when there are others in which to do so far more humanely. And that I find this "blue suicide" epidemic suspect: *"take me out and shoot me"*

"I see it all the time" (Deputy DA Aaron West told me)

To this day I have been unable to authenticate the author of the 5150 application form that claims I claimed that people were trying to kill me so I told an officer I wanted someone to take me out and shoot me. Now that's just plain crazy.

And I'm still waiting to hear the:

"Did you really say that?" question.

and would like to know if this question has ever been asked by the Forensic Mental Health division of the DA's office of any of the other victims of this "blue suicide" epidemic going around, and if not, why not. Why don't they ask it of me? And under oath.

This case begins not with the hospital medical records but with the police report in SJPD's computer data base that has been withheld from me. Which will contain the phrase "watering can" in it. And I need to see it myself first. In its entirety. And it seems I may well need a subpoena in order to do so.

The details and police report number are contained in the 6 pages from my lawsuit that I will leave with the court and the Deputy DA. You can access the entire pdf on my website publicforall.com that I'm way way behind on updating. Just scroll down to where it says "Complaint: First Papers".

Addenda:

This is what I have learned in addition recently. The officer who picked me up was Gerald Keplar (Sr.). Mark Goings only drove me to EPS. He commented that I had been picked up by the "Officer of the Year" which I now think may have been one of those left-handed compliments. Ofc. Adolfo Acosta (#3141) was also at the scene. It's possible he might still have some dim recollections that might be helpful. I know I remember it for the rest of my life.

I need confirmation of what I witnessed so I can file my testimony as accurately as possible.

I have some questions. I'm sure you do also and invite you to ask them all. My first questions relate to Procedure. How do I file in this court? Will I be allowed to? How do I serve? Does someone else have to mail it? Etc.

I declare under penalty of perjury under the laws of the State of California that all of this is true and correct and to the very best of my ability at the moment. Thank you.