

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

Antonio Villaraigosa, Mayor City of Los Angeles, and
DOES 1 through C, Defendants (not)

FEB 21 2008

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

John A. Clarke, Executive Officer/Clerk

Michael L. Lofton

BY MARY GARCIA, Deputy

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.gov/selfhelp/espanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.gov/selfhelp/espanol/) o poniéndose en contacto con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

Superior Court of California at Los Angeles
111 N. Hill Street
Los Angeles, California 90012

CASE NUMBER
(Número del Caso):

BC385899

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Michael L. Lofton



Los Angeles, California

DATE:

(Fecha) FEB 21 2008

Clerk, by

(Secretaria)

M. GARCIA

Deputy

(Adjunto)

(For proof of service of this summons, use the form for Proof of Service of Summons, (POS-010).)

(Para prueba de entrega de esta citación use el formulario Prueba de Entrega de Citación, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

- 1. as an individual defendant.
- 2. as the person sued under the fictitious name of (specify):

3. on behalf of (specify): Michael L. Lofton

- under: CCP 416.10 (corporation) CCP 416.60 (minor)
- CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
- CCP 416.40 (association or partnership) CCP 416.90 (authorized person)

other (specify): CCP 425.10

4. by personal delivery on (date): February 21, 2008

(SEAL)

A.I.C
K

1. Michael L. Lofton
2. [REDACTED]
3. Los Angeles, California [REDACTED]
4. [REDACTED]
5. In Propria Persona

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

FEB 21 2008

John A. Clarke, Executive Officer/Clerk
Mary Garcia
BY MARY GARCIA, Deputy

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

9.
10. Michael L. Lofton,) **CASE NO. BC385899**
11. Plaintiff,)
12. v.) **COMPLAINT FOR**
13. Antonio Villaraigosa, Mayor) **DAMAGES**
14. City of Los Angeles,) (TORT)
15. and DOES 1 through C) *md* § 425.10 (a) CCP
16. Defendants.) **(UNLIMITED CIVIL CASE)**
17. _____) (Amount demanded
18. exceeds \$10,000)

19. 1. Plaintiff alleges:
20. 2. He is a voter and resident in the City of Los Angeles, a taxpayer
21. with no dependents and over the age of 18.
22. 3. The Defendant is and at all times mentioned herein was the Mayor
23. and Chief Executive Officer of the City of Los Angeles. His major place of
24. business is located at 200 North Spring Street, Room 303; Los Angeles,
25. California.
26. 4. He is unaware of the true identity or capacity of defendants 1

1. through C who were responsible in some manner for the events and
2. happenings referred to, and caused injury and damage proximately,
3. as alleged further in the complaint.

4. 5. The allegations of this complaint stated on information and belief
5. are likely to have evidentiary support after a reasonable opportunity for
6. further investigation and discovery.

7. 6 He has been an employee of the Department of Water and Power
8. for twenty-nine (29) years. He presently holds the position of Senior
9. Electrical Mechanic. He has a class B vehicle license for the State of
10. California and as such he is required by the Department of Transportation
11. (DOT), a federal agency, to submit periodically to random tests for
12. substance abuse (alcohol/drugs). Tuesday morning, October 16, 2007
13. while attending a mandated class for Qualified Electrical Workers (QEW)
14. his immediate supervisor, John Rumi advised him to report to Maximed
15. Medical Occupation Center following the eight-hour QEW refresher class
16. at LADWP Truesdale Training Center. This was unusual in that previously
17. DOT tests have usually occurred, without warning, early in the morning
18. and within a brief period of time. Nevertheless, at approximately 3:20 p.m.
19. he reported to Maxirmed Medical Occupation Center located at 8100
20. Sunland Boulevard; Sun Valley, California for the scheduled substance
21. abuse test. He provided a urine sample for the test. Shortly thereafter
22. the medical technician informed him that the sample he had provided
23. was an insufficient amount for the test. He was advised to drink a

1. considerable amount of water. Some thirty minutes later he provided a
2. second urine sample for the test. Again he was advised by the medical
3. technician that the urine sample he had provided was an insufficient
4. amount for the test. He left the center at 4:00 p.m. to attend a 6:00 p.m.
5. class at Los Angeles Trade Tech Community College.

6. Recent correspondence received on 01-29-08 from U.S. Senator
7. Dianne Feinstein dated 01-24-08 contained a 2-page copy of a letter
8. dated 01-17-08 from Jim L. Swart, Acting Director, Office of Drug and
9. Alcohol Policy and Compliance which states "...the collector told him
10. that he" (Michael) "had up to three hours to provide a sufficient specimen,"
11. or until 6:25 p.m., a ridiculous invasion upon Michael's personal life and
12. affairs.

13. When he reported for work October 17, 2007 he was informed by
14. his supervisor, Curt Smith that he had violated DOT regulations by leaving
15. Maximed Medical Occupation Center. Continuing, the supervisor advised
16. him that he was therefore required to undergo further evaluation from a
17. substance abuse professional (SAP) before he could return to work.
18. Michael was aware that if he were to submit to evaluation by a SAP he
19. would not be protected from self-incrimination. Michael refused to
20. undergo evaluation by SAP Frank Mazola. He was then advised that until
21. clearance arrived from DOT for him to return to work he would be placed
22. on No Shift/No Pay (NS/NP) status.

23. The results of every random test for substance abuse that he has

1. taken while employed at LADWP both prior to 10-16-07 and on 10-17-07,
2. taken voluntarily by him at LADWP and performed by medical personnel
3. at the John Ferraro building has been negative, a copy of which he has in
4. his files.

5. At approximately 12 noon Wednesday, October 17, 2007 he filed a
6. formal grievance about being deprived of his right to gainful employment,
7. in the absence of cause, with Gus Corona of the International Brotherhood
8. of Electrical Workers (IBEW) local 18 located at 4189 West Second (2nd)
9. Street; Los Angeles, California.

10. October 19, 2007 Esther M. Lofton, his Mother, appeared before
11. the City Council, City of Los Angeles to register a grievance, in his behalf,
12. of the incident. She stated emphatically that her son Michael was not a
13. substance abuser. "As a matter of fact," she added, "he doesn't even
14. smoke." She left a copy of a petition to be presented to 10th District
15. Councilman Herb Wesson Jr. and Eric Garcetti, President of the Council,
16. City of Los Angeles reiterating the statements she had made.

17. Without any stretch of imagination the substance abuse test on 10-
18. 16-07 can hardly be considered random. In any case it makes no sense
19. for him to be penalized because his body could not produce a sufficient
20. amount of urine for the test for substance abuse, after two attempts. It
21. makes no sense for him to be deprived of such a vital and fundamental
22. property right in the absence of a test producing positive results that he
23. abused substances (drug/alcohol). Otherwise it is analogous to being

1. a little bit pregnant. It makes no sense to cause this much inevitable harm
2. when it would have been much simpler to re-schedule the random test for
3. substance abuse when his system would prove more cooperative and
4. when the allotted time for the test would not infringe upon his personal
5. liberty.

6. December 12, 2005 he received a Bachelor of Science degree from
7. Pepperdine University; Malibu, California after attending school after work
8. for several years. He was determined to reach this milestone because
9. each of his parents has had sixteen plus years of formal education. He
10. also appreciates the fact that for a black man to begin to scratch at the
11. possibility of fulfilling the American dream for himself he must as Brigid
12. Schulte recommends in the article titled *Black families income unchanged*
13. *since 1969* (Los Angeles Times, 02-28-95) do “all the right things, ‘ going
14. to school, going to work’... But not getting the same rewards,” said
15. Margaret C. Simms, research director at the Joint Center for Political and
16. Economic Studies, a Washington, D.C. think tank specializing in African-
17. affairs. Margaret C. Simms believes that even though blacks do all the
18. right things: go to work, go to school, they don’t get the same rewards.

19. It is by far easier to state what’s wrong than it is to figure out how to
20. fix it. The purpose of the above titled action is not only to correct the
21. wrong to Michael but also to show, not to tell, why blacks can do all the
22. right things without reaping the reward and how to fix it.

23. Michael L. Lofton, as the narration in the beginning of this brief

1. relates, did as Brigid Schulte advised all of the right things: he went to
2. work, he attended school; but yet he is now faced with the same prospects
3. faced by an individual who did not do all the right things, proving as
4. Margaret C. Simms surmises; he will not get the same reward. "He is
5. now faced with the possibility of being driven out of a skilled job towards
6. the bottom of the occupational hierarchy."¹

7. But before jumping to conclusion let us first look at where Michael
8. has been, for because of where he has been he shall receive a fitting or
9. better reward, contrary to the thinking of Margaret Simms.

10. Black soldiers got a bum wrap in the Vietnam War. ² Leon E. Lofton
11. Jr., no Vietnam veteran, was an honorably discharged, disabled American
12. combat infantry veteran of a foreign war (World War II).

13. "Battlefield performance was one way that ethnic groups within the
14. United States became fully integrated into a larger civilian society. This
15. red badge of service became their passport to success, for with their
16. loyalty and dedication as Americans proven in the heat of battle they could
17. no longer be denied social, economic and political advancement."³ But

18. Leon was never integrated into a larger civilian society; he was instead
19. treated like a pariah amongst his own people. He graduated from West
20. Virginia College; Institute, West Virginia June 2, 1941 prior to being
21. drafted into the United States Army, 92nd Infantry Division November 14,

¹ Stephanie Coontz, Don't blame the black family for its economic breakdown, The Evening Sun, 03-12-90.

² Col. Harry G. Summer Jr., Red Badge of Courage: Earned and Ignored, L.A. Times, 11-05-87.

³ Ibid.

1. 1942. Injured he was medically and honorably discharged 09-30-45.

2. During World War II blacks left behind fighting lines earned better
3. pay in a booming war economy than they had ever earned before. After
4. the war ended the economy returned to more normal pursuits. The
5. industrial revolution finally reaching southern states further exacerbated
6. employment for blacks for the job market was flooded with unskilled
7. laborers swelling the ranks of the unemployed.

8. "The property which every man has is his own labor," says Adam
9. Smith, "as it is the original foundation of all other property, so it is the most
10. sacred and inviolable."⁴

11. Forced from the ranks of the employed Leon got a bum wrap.

12. Leon E. Jr. and Esther M. Lofton, parents of Michael L. Lofton filed
13. in propria persona case #895188: Leon E. Lofton Jr. et al. vs. School
14. Board of the Los Angeles Unified School District (LAUSD) alleging they
15. had been deprived of the right to work as teachers or in any other
16. endeavor through fraud, collusion and manifest abuse of discretion
17. throughout these United States since 1957.

18. January 23, 1967 a pretrial conference was held in case #895 188.
19. The judge of record was the honorable J. Wesley Reed, Judge Pro Tem
20. Present and attending the conference were attorney for the Defendants
21. Ron Apperson, Deputy Counsel for the County of Los Angeles and
22. Plaintiffs in propria persona, Leon E. Jr. and Esther M. Lofton. Mr.

⁴ Gerald Gunther, Professor at law, Stanford University, Cases and Materials on Constitutional Law, Ninth Edition, the Foundation Press, Inc., Mineola, N.Y., 1975, ch 8, p. 501.

1. Apperson signed and dated the joint pretrial statement which is construed
2. as an admission of guilt to each and every allegation, on the part of the
3. Defendants. The only matter left unresolved was the amount of damages
4. for the Plaintiffs. The Plaintiffs had a formula to compute the damages
5. but they needed to know the worth of LAUSD to provide a monetary sum.
6. A request from the Plaintiffs for the worth of the district received no
7. response. Judge Reed advised the Plaintiffs to appear in Department 1
8. of Superior Court located at 111 North Hill Street; Los Angeles, California
9. on April 12, 1967 for trial, without fail. He cautioned them that they would
10. receive no further notice.

11. February 6, 1967 the Honorable J. Wesley Reed filed the Pretrial
12. Conference Order, case # 895 188 dated and signed 01-24-67 that stated:
13. The parties have entered into joint...pre trial statement(s) which set forth
14. nature of the case, the matters agreed upon or admitted, the factual and
15. legal contentions made by each party as to the issue remaining in dispute,
16. and the issues remaining in dispute. Said statements are attached hereto
17. by the court and made a part of this order.

18. Upon motion of Plaintiffs the action is dismissed as to all fictitious
19. defendants. No Law and Motion matters are pending or likely. All
20. discovery has been completed and none will be permitted hereafter. The
21. matter is ready to be set for trial. .. The case is set for trial on April 12,
22. 1967 at 9:00 a.m. in Department 1.

23. Appearing April 12, 1967 a 9:00 a.m. in Department 1 of the above

1. titled court before Presiding Judge Donald R. Wright in case #895 188
2. were attorney for the Defendants, Deputy Los Angeles County Counsel
3. Mr. Ron Apperson and Plaintiffs in propria persona, Leon and Esther M
4. Lofton holding 4 months old Gena in her arms. Mr. Apperson announced,
5. “Your honor, I am here for settlement.”

6. Appearing somewhat angry Judge Wright directed, “Mr. Apperson,
7. tell county counsel to dismiss this action.”

8. Leon E. Lofton blurted, “That’s your job Judge Wright.” Court
9. deputies circling the outer perimeter of the courtroom advanced towards
10. Leon stopping only when so directed to by a hand signal from Judge
11. Wright. In any event docket item #46: case #895 188 was no longer
12. before the court.

13. The profession of law, is after all a monopoly. Only licensed
14. members of the bar can sell legal advice and representation. Generally
15. when the state gives someone a license to engage in a monopoly it
16. demands something in return. The monopolist must serve all the people,
17. not just a tiny fraction.⁵

18. In the interest of serving all the people the Los Angeles Times
19. published the worth of every school District in the County of Los Angeles
20. in 1975. Leon and Esther had the information allowing them to compute
21. their damages. November 22, 1975 a petition with the final judgment and
22. order case #895 188 was forwarded by certified mail to the last judge of
23. court of record, the honorable Donald R. Wright. By virtue of two

⁵ Alan Dershowitz, Lawyers will be a joke Until They Clean Up Act, L. A. Times, 09-13-88, p. 7.

1. successive appointments by Governor Ronald Reagan, Judge Wright had
2. ascended to the position of Chief Justice of the Supreme Court of the
3. State of California.

4. The final judgment and order, case #895 188 was signed by Chief
5. Justice Wright and is dated between November 22, 1975 and February
6. 21, 1976 pursuant to ARTICLE VI, Section 19, CC. The judgment and
4. order is presently in the custody of and under control of the Executive
7. Officer/Clerk of the Superior Court of California at Los Angeles.

8. Leon and Esther Lofton did the right thing. Yet, even though
9. case #895 188 has been *an already agreed upon matter* since January
10. 23, 1967 the matter still pends in 2008. American institutions under the
11. immediate control of the larger community of interest have obeyed the rule
12. of law; Institutions under the control of the inner city have not.

13. Black leadership is strictly anti-military; they have consciously
14. denied black veterans their due.⁶ Substantiating anecdotes that follow, all
15. of which come documented, prove that the black leadership not only
16. denies veterans their due but they deny protection of the rule of law even
17. to those for whom they have sworn to or made affirmation to protect and
18. defend, including the most defenseless individuals in society, its
19. children.

20. The 1960's were the great civil rights years when there were sit-ins,
21. mass marches, protestors being faced by attack dogs and water hoses.
22. Black Americans quest for civil rights seemed so infectious that anyone

⁶ Summer, Jr.

1. would have believed that persons involved in any civil rights battle would
2. have allies swinging from rafters.

3. In 1964 Mervyn Dymally was appointed the first black Senator in
4. the California Legislature to fill one of 15 seats created from the one seat
5. for the entire County of Los Angeles that was occupied by Thomas
6. Rees. This political move shifted political power from sparsely populated
7. farm areas in California to the more densely populated County of Los
8. Angeles. Senator Dymally was the first official from the inner city
9. contacted by Leon and Esther. The results of the meeting failed to
10. produce any results, positive or otherwise.

11. It was just a matter of time before attending school would become a
12. luxury for their three school aged- children, 11 year old Michael, 10 year
13. old Steven and 9 year old Verna. November 30, 1964 is a date that shall
14. always be remembered for that was the day Leon and Esther were first
15. arrested and charged with violation of Education Code 12101: failure to
16. send their children to school. The arrest was a national investigation of
17. their character which produced nothing more than a City of Los Angeles
18. parking violation for Esther. The parking ticket fee suspended by the
19. traffic court to be returned to Esther in a couple of weeks, which she
20. still has not received, was an indication of the level of corruption ahead.

21. It was constitutionally correct for the system to appoint a public
22. defender to represent them. Since public defenders are attorneys
23. licensed by the California Bar the Municipal Court of Los Angeles cannot

1. be held accountable for the less than professional attitude of court
2. appointed attorneys. "The state constitution gives the high court final
3. say over lawyer discipline and the court has regularly reviewed the Bar's
4. recommendations for suspensions, disbarment and other penalties
5. against lawyers."⁷ Court appointed attorney James Nunnley had
6. presumed what the only defense for the couple would be before he ever
7. met them. Mr. Nunnley stated that their only defense from the charge of
8. violation of Ed. Code 12101 was for the parents to claim the school-aged
9. children were home schooled. Leon and Esther balked. They advised
10. him first of the intricacies involved in his claim : development of lesson
11. plans on three different levels, a list of grade-appropriate references,
12. grade- appropriate activities, etc., he didn't have a modicum of
13. understanding or appreciation for what he was suggesting. He resented
14. being told how completely off base his advice was. He refused to even
15. consider there was a more suitable defense: the district must be above
16. reproach before it could compel anything. The two men- James Nunnley
17. and Leon E. Lofton Jr., were at an impasse. Leon tired of trying to
18. reason with a very willful James Nunnley announced, "I will fire you in
19. court."

20. James Nunnley responded, "You can't fire me!"

21. Dismissively Leon stated, "Wait and see!"

22. An irate James Nunnley called Leon an S.O.B. so loudly that
23. people in the area turned their heads in his direction. Leon never got the

⁷ Editorial, "No Bar, No Discipline," *Los Angeles Times Editorials*, 10-14-98, B6.

1. chance to fire Mr. Nunnley for when the matter came before the Honorable
2. Michael J. Yelovich, the judge of court of record in the Municipal Court of
3. Los Angeles Mr. Nunnley had disappeared. June 1965 Mr. Nunnley was
4. acclaimed Los Angeles County Public Defender of the year.

5. The evening of the trial (12-18-64) the Herald Examiner published
6. an article titled "Ex-Teachers On-Trial in School Case. December 19,
7. 1964 the Los Angeles Times published an article titled "Parents Convicted
8. of Keeping 3 Out of School" with the bold subtitle "No Attorney." These
9. two articles were as much an appeal for a civil attorney for the couple as it
10. was record of the court proceedings. Hoping to be contacted by a
11. responsible, inner city, civil attorney they were disappointed the evening of
12. 12-19-64 to instead open the door of their residence in response to a
13. knock by Los Angeles County Deputy Probation Officer Viola P. Golightly
14. who stated she would be their representative in court the next scheduled
15. hearing, January 9, 1965. An aura of doom permeated the area when she
16. brushed aside, without reading, the Los Angeles Times article that left no
17. doubt the couple had been convicted without an attorney, a constitutional
18. violation of law.

19. There is no wonder why "...more black men in their 20's are under
20. court control than there are black men of all ages in higher education.." ⁸
21. The fact that the legal system is broken is attributable to something other
22. than "For more than 20 years we've gotten tougher on crime," says Dennis

⁸ Savage, David A., 1 in 4 Blacks in Jail or in Court Control, Study Says, *Los Angeles Times*, 02-27-90.

1. W. Archer... He is also looking in the wrong places to stem the trend of...
2. "more and more people...particularly in minority communities- are sent
3. away for longer and longer periods of time while we make it more and
4. more difficult for them to return to society... We need to fix it."⁹

5. Viola P. Golightly was unceremoniously ushered from the premises
6. the clickety-clack of her high heeled shoes beating a diminishing and
7. hasty retreat on the asphalt walkway at 120th and Main Streets . An
8. article appearing in the evening edition of the Herald Examiner 01-09-65
9. titled "Order Parents Arrest in School Case" confirmed the rightness of the
10. decision not to be represented by Ms. Golightly who had recommended
8. a bench warrant be issued for the couple, urging their arrest on sight.

11. The couple were virtual prisoners in their own home in an effort
10. to avoid arrest. The stand-off solved nothing. In early February 1965 they
12. voluntarily appeared in the courtroom of Judge Michael Yelovich who
13. accepted impromptu jurisdiction of the matter. Firstly, he rescinded the
14. bench warrant. He then directed the couple to appear at the probation
15. agency in the 600 block of S. Vermont Avenue, a mandatory requirement
16. before returning to court February 17, 1965 for sentencing. Their five
17. children with them, they decided to consolidate their misery in the one trip,
18. journeying from the courtroom to the designated probation agency.

19. It did not surprise them in the least to be confronted again by
20. Deputy Probation Officer Viola P. Golightly. After the children were left
21. in the waiting area Viola P. Golightly ushered Leon E. and Esther M.

⁹ Henry Weinstein, Justice System Is 'Broken,' Lawyers Say, *Los Angeles Times*, 06-24-04, B1.

1. Lofton to a small cubicle which was her office. No sooner had they
2. taken seats at the desk across from her she presented them an agency
3. form to be completed and signed. Leon made the form unusable as he
4. destroyed it with pencil marks deep enough to tear. An extremely furious
5. Viola Golightly exclaimed rhetorically, "What right did the judge have to
6. rescind my bench warrant." She picked up the phone on her desk, dialed
7. the number for LAPD and re-instated the bench warrant.

8. Leon had spotted figures of others standing on the other side of the
9. thin walls encasing her office. Announcing loud enough to be heard he
10. advised, "If anyone out there is this woman's supervisor I want you to
11. know she has re-instated the bench warrant. Any arrest made shall be
12. made here, on these premises." Sam Tolls stepped into the doorway
13. identifying himself as her supervisor. He made the request that they
14. accompany him to his office. Mr. Tolls and the couple talked as a silent
15. Viola Golightly listened. They discussed the Lofton matters. When
16. masculine voices could be heard in the anteroom Mr. Tolls excused
17. himself to go talk to the officers responding to telephone request made by
18. Ms. Golightly. He returned to his office, the three engaging in small talk
20. for a long enough period of time for officers of LAPD to vacate the area.
21. Leon and Esther allowing enough time to feel comfortable to leave
22. gathered their children for the trip home. They returned to court on 02-17-
23. 65 and were fined \$2.50 each for violation of Ed. Code 12101, a sum that
24. was taken from the bail they had previously posted.

1. They changed residence often. During the period between
2. February and October 1965 Esther worked at the Westminster Poverty
3. Center, located at 103rd and Beech Streets; Watts, California, as a girl
4. Friday. They lived with the family of one of the directors in their small
5. apartment until payday, when sparks hit the fan. It was discovered
6. by administration that the person working, Esther, was not the person
7. hired, Leon. The administrators were literally *upstream without a paddle*
8. when Leon refused to surrender his social security number. Another
9. move was on the horizon for the family.

10. Leon originated from a Methodist background, a fact that registered
11. no relevance to other inner city Methodist ministers most of whom had
12. come from and all of whom were familiar with the leadership in the
13. Baltimore/Washington Conference where Leon's Dad, Reverend Ely L.
14. Lofton, served as District Superintendent. A host of the inner city
15. Methodist ministers owed their presence in the Pacific Conference of the
16. Methodist Church to recommendations by Leon's Dad. The Baltimore/
17. Washington Baltimore/Washington was racially unique.

18. Esther and Leon anticipated there would be repercussions from
19. Westminster Poverty Center. A visit to the closest Methodist Church in
20. the area, Imperial Heights United Methodist Church was their next move.

21. They talked, the minister listened but he made no promises. They must
22. have made an impact for the next day Bill Rollins, Director of
23. Westminster Service Center, the social arm of the United Methodist

1. arrived at the apartment they shared with a director's family. Mr. Rollins
2. listened, but he said absolutely nothing. He gave them his business
3. card as he was leaving saying facetiously, "Here is where I'll be if you
4. need help."

5. The poverty program job phased out, total loss of all income with no
6. prospects in sight and living with the family in the tiny apartment with the
7. director, his wife and two children was untenable. Early one morning
8. in October 1965 the Lofton family gathered their belongings and trekked
9. to the closest Catholic church, Saint Michael's located at Manchester and
10. Vermont Avenue. They arrived at dusk tired and hungry. They were fed
11. at the restaurant located at Manchester Boulevard and Figueroa Street
12. and later housed at Figueroa Motel across the street. The following day, a
13. rainy Friday morning at approximately 9:00 a.m. there came a knock at
14. the door of the one-room rental. Once opened the door revealed a tall,
15. gangly, and dripping wet black male standing in their doorway collapsing
16. his sopping wet umbrella. After he positioned the umbrella to lean against
17. the outside door jamb the couple invited him to come inside, an invitation
18. they lived to regret. He introduced himself saying, "My name is William
19. Dailey; I'm a Juvenile Probation Officer from the County of Los Angeles."
20. He treated the couple like they had committed a crime, attempting to
21. shame them and threatening them with the loss of all their children if they
22. continued to refuse to send their school-aged children to school. He
23. acted as though they were in this position by choice. He was just another

1. James Nunnley, another Viola Golightly dressed in drag. , “How could this
2. be happening in this free country?” they wondered in disbelief. He, too,
3. was unceremoniously shown the door with the relishing thought he would
4. again be soaking wet this very rainy Friday morning.

5. The following Monday Leon and Esther Lofton appeared in court in
6. Inglewood to answer for the third or fourth time to the charge: violation of
7. Ed. Code 12101. The judge of court of was the honorable Judge Loos.
8. Father Walter Johnson of the Church of the Holy Name located on
9. Jefferson Boulevard; Los Angeles, California appeared in court with the
10. couple. Evidently in response to what had happened the previous Friday
11. morning the judge urged, “Go hear Father, go hear.”

12. There were no cooking facilities at the motel. Subsequent
13. arrangements were made by Catholic Charities of Los Angeles to house
14. the family at Swenson Motel located at 88th and Figueroa Streets, still a
15. one bedroom facility. Catholic Charities contacted several inner city
16. religious and charitable institutions whose agents came to their lodging,
17. probably, to avoid the loss of their funding. They were snobs, with noses
18. so high in the air they would have stubbed their toes should they had
19. taken a step.

20. Some people know when rain is on the horizon, their corn aches.
21. Others feel aches in their joints, arthritis. Instinctively, Leon and Esther
22. could sense impending danger in their gut. They became restless two
23. days before Thanksgiving 1965. Whether the unease was psychosomatic

1. or the result of so many wrongs thrown at them was unclear, the feeling
2. lingered. Before dark the family left Swenson Motel to once again seek
3. refuge at St. Michael's Catholic Church, fearing what lay ahead. They
4. soon realized this tactic was only a delay of the inevitable. In utter defeat
5. they returned to Swenson Motel to await what they felt was sure to come.

6. No sooner had they removed their jackets and coats the door was
7. abruptly opened with a passkey, that was just as rapidly concealed, as a
8. sergeant of color leading a horde of deputies from Los Angeles County
9. Sheriffs Department entered. The assault and capture of the three school-
10. aged children went as smoothly as any covert operation in enemy territory.

11. Dark clouds hovered over the family members left behind, Leon,
12. Esther, Tracy and Darryl throughout Thanksgiving and Christmas, 1965
13. A nun who came bearing gifts for the entire family that Xmas eve found it
14. so palling she could not stem the tears as she hurriedly left the premises.

15. Inglewood Municipal Court cleared the matter from their docket the
16. first week in January 1966, sentencing Leon to several days in jail placing
17. very pregnant Esther to two years summary probation. Leon was bodily
18. delivered to Juvenile Court the next day after his arrest while Esther was
19. escorted by a representative from Los Angeles Legal Aid Society where
20. a promise was extracted, from Esther not Leon, to enroll the school-aged
21. children in school, immediately. The school-aged children were returned
22. to the custody of their mother that day.

23. Nina was born January 23, 1966 while Leon was incarcerated. A

1. hastily formed Protective Children's Services unit was formed by officials
2. the County of Los Angeles, providing adult supervision, for the first time on
3. weekends, for children left without supervision from parents. Leon was
4. released from confinement a couple of days after the birth of Nina.

5. It is discomfiting for any adult to have his basic needs met by
6. another, be it church or state. The financial relationship with Catholic
7. Charities had to end for things were going nowhere. Though the future
8. was uncertain, there was relief, not sorrow, when they were notified the
9. relationship would end April 5, 1966. Desperately in need of support, not
10. only financial but also legal, they forwarded a petition to Bill Rollins whom
11. they had met months earlier. There had been no response to the letter
12. forwarded to the address on the business card he left, Bethel United
13. Methodist Church located at 80th and Hoover Streets; Los Angeles,
14. California. As the day to vacate Swenson Motel neared they separated
15. their belongings into two piles, one to take the other leave. The owner of
16. the motel promised to store the items that were packed and left behind.
17. April 5, 1966 they left the motel with all they could carry.

18. They knew they would face arrest for endangering minors if they
19. remained on the street so they made a bee-line to 77th Precinct of the Los
20. Los Angeles Police Department (LAPD) for protection and service, the
21. motto etched on every LAPD police car. Leon and Esther and their six
22. children ages: 4 months, 3, 4, 9, 10 and 12 arrived at 77th Precinct station
23. shortly after 9:00 a.m. where they were introduced to Lieutenant Tom

1. Beeson, Director of Human Relations. The lieutenant spent the day, until
2. 3:00 p.m., on the telephone contacting social service agencies in the
3. area. The family took care of their own immediate needs, food for the
4. family, activities for the children, while they waited for results. The officer
5. confessed he had not been able to enlist the help of any social agency as
6. he offered the only solution at his disposal: place the mother and baby in
7. county hospital, the children placed in foster care and Leon could enter a
8. a mission.

9. The break-up of the family was not an option. After relaying thanks
10. to Lieutenant Beeson for his efforts the family gathered their belongings,
11. trudged from 77th Precinct to Bethel United Methodist Church aiming to
12. arrive at the church before dusk. An idle Bill Rollins was in his office to
13. greet them. Instead of him trying to figure out what he could do that might
14. ease their burdens he turned the family over to the pastor of Bethel United
15. Methodist Church, Reverend F. L. Horton, without any recommendation of
16. any kind.

17. “ For over 30 years...more than a trillion dollars have been spent
18. spent on poor people...without making any dent in the level of poverty,
19. and expanding it. This partly explains why the country has soured on
20. many of the purported entitlements for the poor, as so many have noted,
21. poverty becomes not only a reality of class and color but has also, been
22. an occupation and a form of identity so debilitating that millions of
23. Americans have grown up in households where they have never seen

1. anyone hold a job.”¹⁰

2. In the absence of any input from Mr. Rollins the reaction, though
3. inappropriate for any minister, when he realized that the group standing
4. before him in the sanctuary needed help was, “If you don’t get off my
5. church property I’m going to have you arrested.”

6. “What about whatsoever God put together let no man put
7. asunder?” was the question put to Rev, Horton by asked Esther.

8. Rev. Horton’s response, “Don’t hand me that s_ _ t.”

9. “Let God’s will be done,” concluded Leon.

10. Rev. Horton left the sanctuary to make a telephone call before he
11. made good his threat, probably to his district superintendent. After the
12. first call had been completed he telephoned LAPD. In a matter of
13. seconds more officers than can accurately be counted arrived in the
14. sanctuary of Bethel United Methodist Church arresting the family to
15. transport them to 77th Precinct, from which they had just painstakingly
16. trudged. Rev. Horton, unlike William Rollins, was not able to pass his
17. responsibility to officers of LAPD who refused to make any arrest in his
18. stead. Leon and Esther Lofton were not arrested until Rev. Horton arrived
19. at the precinct to sign “a citizens arrest” for the charge: *trespass on church*
20. *property*. After Reverend Horton signed on the dotted line authorizing the
21. arrest of Leon and Esther Lofton they were transported to the appropriate
22. facilities for housing, men’s county jail and Sybil Brand Facility for Women.
23. They each spent twenty-one (21) days dead time while waiting for their

¹⁰ Stanley Crouch, A Leadership Adept at Passing the Buck, Los Angeles Times, 10-27-96.

1. day in court. The minors were transported to Mac Laren Hall, infant Nina
2. placed in the nursery.

3. Twenty-one days later Leon and Esther were transported to Los
4. Angeles Municipal Court for trial. Reverend F. L. Horton in ministerial
5. garb, high, white collar and frock coat that conflicted with this environment
6. was seen pacing about aimlessly. When the matter came before the court
7. the Reverend was conspicuously missing in action, an MIA. The judge of
8. court of record was the Honorable James Byrne, regarding whom it must
9. be surmised was an elder in some church of the United Methodist Pacific
10. Conference. Judge Byrne asked one question of the couple standing
11. before him, "If you are released where would you go?" Sensing an answer
12. was not forthcoming to his question Judge Byrne ruled, "Guilty, trespass
13. on commercial property. Sentence: ten days in jail." Shaking his head he
14. muttered audibly, "You've already spent more time in jail than law allows."

15. One day before the couple was released from the ten-day jail
16. sentence they were bodily transported to Juvenile Court, Los Angeles
17. Superior Court. Lieutenant Beeson, Director of Human Relations at 77th
18. Precinct appeared testifying to the extent he had gone to locate help for
19. the family from social agencies in the area. Reverend Horton was also
20. present to testify as to what had transpired in the sanctuary to cause the
21. arrest of the adults, omitting his use of profanity. Leon and Esther were
22. then allowed the opportunity to question the witnesses. Esther accepting
23. the offer asked Rev. Horton one question, "What is the purpose of your

1. tax-exemption?"

2. Before the last word in the question escaped her lips the
3. judge in haste cautioned, "You don't have to answer that!"

4. Reverend Horton was clueless as to what he had done wrong, but
5. the United Methodist Church was not. Every trace of Bethel United
6. Methodist Church has been erased from the site at, 80th and Hoover
7. Streets; Los Angeles, California. Reverend Horton enjoyed benefits from
8. the *Peter Principle* as he was promoted to a higher level of incompetence.
9. He received a Doctorate degree in Theology and was thereafter assigned
10. to a position in the United Methodist book store in Nashville, Tennessee,
11. hopefully until he retired.

12. Esther and Leon were directed to contact Probation Officer Elaine
13. Seigel whose office was located on in the 4500 block of W. Century
14. Boulevard; Los Angeles, California after their release. What they viewed
15. as a promise of help was nothing other than a waste of their limited funds
16. spent for the bus trip. Ms. Siegel turned them over to her supervisor,
17. another inner city person. The supervisor gave them notice they were
18. expected to appear at the first annual Juvenile Court hearing June 1966.

19. Appearing in Juvenile court to represent the Lofton minors was
20. Elaine Reed, Juvenile Probation Officer for the County of Los Angeles.
21. Judge of court, the Honorable John A. Schapps issued the following order
22. to Juvenile Probation Officer Elaine Reed: "The parents are not guilty of
23. any criminal violation; the children are not guilty of any criminal violation.

1. My order to you is for an abode and the necessities of life.” The Lofton
2. minors aged 6 months, 3,5,9, 10 and 12 remained under her supervision
3. and control. June 1967 Elaine Reed and her supervisor, Mr. Underwood
4. appeared in Juvenile Court to represent the matters of the Lofton minors.
5. Judge of court of record, the Honorable Robert Finerman issued the
6. following order to Elaine Reed and her supervisor, Mr. Underwood: “The
7. parents are not guilty of any criminal violation; the children are not guilty of
8. any criminal violation. My. Order to you is for an abode and the
9. necessities of life.” The Lofton minors remained in the custody and
10. under the control of the Probation Department of the County of Los
11. Angeles until June 1968.

12. Probation is a sentence releasing the defendant into the community
13. under the supervision of a probation officer. It is the status of a convicted
14. person who is allowed his freedom after *conviction* subject to the condition
15. that for a stipulated period he shall conduct himself in a manner approved
16. by a special officer to whom he must make periodic reports. Probation is
17. release by court before sentence has commenced.¹¹

18. Present at the annual Juvenile Court hearing in the matters of the
19. Lofton minors in June 1968 were officials and agents of the Department of
20. Public Social Services (DPSS), County of Los Angeles. The judge of court

¹¹Henry Campbell Black, M.A., Black's Law Dictionary, 5th Edition, West Publishing Company, St. Paul Minn., 1979. p.1082.

1. of record, the Honorable Leopoldo G. Sanchez issued the following order:
2. to officials and agents of DPSS: "The parents are not guilty of any criminal
3. violation; the children are not guilty of any criminal violation. My order to
4. you is for an abode and the necessities of life."

5. Welfare and Institution Code (WIC), Section 10001. The purpose of
6. public social services for which state grants-in-aid are made to counties
7. are: (a) To provide on behalf of the general public, and within the limits of
8. public resources, reasonable support and maintenance for needy and
9. dependent families and persons. (b) To provide timely and appropriate
10. services to assist individuals develop or use whatever capacity they can
11. maintain or achieve for self-care or self-support.

12. The Lofton children eventually numbering eight, remained in the
13. custody of and under the control of officials and agents of DPSS of the
14. County of Los Angeles until they were emancipated. Nina who was raised
15. in the home of female minister Martha Evans has never fully assimilated
16. into the family unit.

17. Elaine Anderson, the director of the California Department of Social
18. Services, responsible for implementing welfare reform gave her opinion of
19. government's real role in the program. Most people say ...it is a program
20. for children. I would suggest to you that it isn't, because it has never done
21. anything for children. It has never cared what happens with children; we
2. never go look at what happens with children; we don't look at whether

1. children are in school; we don't look at whether kids are fed...¹²

2. The conclusion that treatment afforded black veterans " ...can only
3. be the result of deliberate anti-military bias,"¹³ is patently off the mark; for
4. if black leaders have ever seen a constitution, let alone read it with
5. comprehension, they have consciously and deliberately made the decision
6. to ignore it.

7. Leon and Esther M. Lofton owe a tremendous debt to Bea, a
8. Caucasian from Tennessee and her husband, Carl Nita, a Japanese
9. American for allowing them unrestricted use of their property at 541 W.
10. Manchester Boulevard from May 1966 until January 1975. The couple
11. was able to periodically disrupt a placement that endangered the basic
12. fabric of their family. Most of all, it was positive assertion to government
13. that despite use of their raw power the couple intended that the Lofton
14. children would know their parents, know each other and someday realize
15. who was actually in charge.

16. Good Americans, too many to herein mention, came to their
17. rescue, none more timely than Clementha Mac Donald Stewart who
18. shared her home at 3464 Third Avenue; Los Angeles, California with them
19. from 1977 until they moved into their own home January 1980. She gave
20. Leon, Esther, Michael, Steven and Verna opportunity to regroup. Verna
21. emancipated without a high school diploma not only earned a graduate
22. equivalency diploma (GED) but she taught herself to type and she learned

¹² Point of View, *Addressing key welfare questions*, "Daily News", 02-16-97, Viewpoint-3.

¹³ Summers, Red Badge...

1. short hand, skills that proved to be an asset when she was later employed
2. at Internal Revenue Service (IRS). Clementha provided a level of stability-
3. a residence from which the young adults could obtain employment,
4. allowing them to come from under the dung that had been heaped upon
5. them by despots. The only limitation Clementha Stewart placed upon
6. them was that they would have to feed themselves.

7. Tyranny, not the rule of law, reigns in inner- city Los Angeles.
8. Tyranny is arbitrary or despotic government; the severe and autocratic
9. exercise of sovereign power, either vested constitutionally in one ruler,
10. or usurped by him by breaking down the division and distribution of
11. governmental powers.¹⁴ The tyrannical strangle-hold of officials and
12. agents of Los Angeles County government in the life of veteran Leon
13. E. Lofton Jr. was broken only after his three oldest adult children
14. purchased [REDACTED] Avenue. The veteran in appreciation of
15. the tremendous sacrifice of these three young adults established for
16. each an insurance policy with Prudential Insurance Company that
17. matured in 2000 and another policy with North American Insurance
18. scheduled to mature in 2010.

19. The children, except for Nina, were finally re-united with their
20. family: Darryl from a group home in Inglewood, California, Heather
21. from placement in Pomona, California; Gena who had left placement
22. in Pomona to join a gang and Tracy, who was located with her infant son

¹⁴ Black's Law Dictionary, p. 1362.

1. Kevin living on the streets of Long Beach, California only with just what
2. she could carry for herself and her son, no home and without a high
3. school diploma. Tracy subsequently graduated from adult school at Los
4. Angeles High, LAUSD, and later attended Cal/Poly Pomona State
5. University as a double math major.

6. As young people are prone to do Verna abandoned her
7. commitment to the purchase of the property in May 1983 to marry William
8. "Bill" Jankans and Steven followed suit seven years later leaving all
9. responsibility for the purchase, repair and maintenance of the residence
10. to Michael who also paid most of the premiums for the policies established
11. by his still unemployed Dad.

12. The tyrannical stranglehold has yet to be removed from the life of
13. Carl A. Steadman Jr. whose employment opportunities have been
14. reduced after "a long train of abuses"¹⁵ by officials and agents of L.A.
15. County government who violated him to cover-up for lies by two Los
16. Angeles County Deputy Sheriffs, Hanson (#428366) and Marshall
17. (#412547), one black the other white. As result of a minor traffic
18. accident in the Los Angeles area August 10, 1998 Carl A. Steadman was
19. convicted and fined in case #8IW7573, Inglewood Municipal Court of
20. reckless driving even though the record (Traffic Collision Report
21. #1998080109) found the other driver violated Vehicle Code (VC) 22106:
22. unsafe backing. Carl A Steadman Jr. was convicted and fined in case
23. #8CU01940 in Culver City Municipal Court of violating Penal Code (PC)

¹⁵ Declaration of Independence.

1. Sections 242/243, a battery merely for pursuing an escaping driver to
2. obtain information required by California Rules of the Road. Lies from the
3. sheriffs to highway patrolman C. Jackson (#13701) precipitated the
4. recommendation that “a complaint be filed against P-2 (Steadman) for
5. 14601.1 (a) VC-driving on a suspended license.”¹⁶ However Patrolman
6. Jackson has no excuse for not checking out for himself the status of Carl’s
7. driving privileges. Why did he prefer making the recommendation against
8. Carl, regarding whom he lacked confirmation than against the other driver
9. (a female) whom he personally cited for violation of VC 22106, illegal back
10. up.¹⁷ Are blacks in positions of responsibility deliberately targeting black
11. males re-invigorating **Black Codes** of yore designed to keep male
12. descendants of former slaves “in a position of economic, social, and
13. political inferiority?”¹⁸

14. There is no reason to wonder why one in four black men in their
15. early 20’s is in jail, in prison or otherwise under the control of criminal
16. courts through probation or parole... Criminal Justice experts and black
17. officials said the figures illustrate two trends. Since the mid-1970’s, most
18. states and the federal government have adopted get-tough laws
19. sentencing laws that have forced judges to impose ...for certain crimes..¹⁹

20. Baloney! A petition dated June 8, 1999 to the Chief of Police of Los
21. Angeles, Mr. Bernard Parks to *protect and serve* Carl A. Steadman Jr., a

¹⁶ Traffic Collision Report #1998080109, p.6.

¹⁷ Traffic, Ibid, p.2.

¹⁸ Rebecca Brooks Gruver, *An American History*, 4th Edition, Alfred a Knopf, NY, p.432.

¹⁹ David G. Savage, 1 in 4 Young Blacks in Jail or in Court Control, Study Says, Los Angeles Times, 02-27-90.

1. resident of the City of Los Angeles signed by Esther M. Lofton was
2. responded to by Captain David J. Powers. The response from Captain
3. Powers dated 06-30-99 states that “since the officers are not employed by
4. LAPD, and since the matter involved the court it would be inappropriate for
5. the LAPD to influence the outcome of investigation by another
6. enforcement agency.” He ends this un-artful dodge telling of the
7. “excellent training received by officers of LAPD.” Councilman Tom La
8. La Bonge and Councilman Bernard Parks, City Councilman, 8th District,
9. City of Los Angeles each received a copy of the booklet titled *Theft by*
10. *Court*, authored by Esther M. Lofton, detailing a level of corruption in local
11. courts damaging the life of an inner city youth. The cost of the publication
12. borne by Michael L. Lofton, who gained nothing thereby, brought no
13. response of any kind from Councilman Parks.

14. A petition dated 06-08-99 signed by Esther M. Lofton, forwarded
14. by U.S. mail to 8th District Councilman Mark Ridley-Thomas, in behalf of
15. Carl A. Steadman Jr. who resides in the 8th Council District , City of Los
16. was returned to the sender, unopened.

17. Judgment and sentencing order, case #8CU01940, in violation of
18. PC Section 242/243 records that \$750 of the \$800 fine went to a county
19. fund (2nd district) instead of to (scratched out) appointed counsel.

20. “Insisting on honesty as the only policy, the supreme ruled
21. Wednesday that public employees can be punished for lying, even when
22. they merely deny an accusation that later turns out to be true.

1. There is no 'right to make false statements,' said Chief Justice
2. William H. Rehnquist. 'An employee who is asked about possible
3. wrongdoing has only two legal choices: Tell the truth or say nothing,' he
4. said."²⁰

5. While these black leaders fail to protect their innocent constituents,
6. a method to bring money into the area, another black leader, Senator
7. Diane Watson, cuts in half, without justification, a \$2.5M federal jury
8. settlement to her constituent a teacher, Betty Andrews.²¹

9. Today ***Tyranny*** should be the cry from residents of inner city Los
10. Angeles who are not only taxed without representation from their own kind
11. to an extent not experienced by colonists prior to 1776, a form of ***tyranny***
12. that grossly violates the constitution and laws and mirrors an
13. unfathomable level of indecency among civilized individuals.

14. Case #895188, the basic, complex and vital issue, *an already*
15. *agreed upon matter* since the pretrial conference on 01-23-67 became a
16. matter requiring execution/enforcement of the final judgment and order
17. after Chief Justice Donald R. Wright received correspondence from Leon
18. and Esther Lofton dated 11-22-75. There have been three inner-city
19. executives in the State of California since 11-22-75: California Lieutenant
20. Governor Mervyn Dymally, Los Angeles City Mayor Tom Bradley and Los
21. Angeles County Supervisor Yvonne Brathwaite Burke.

22. On the day (04-29-76) Lieutenant- Governor Mervyn Dymally was

²⁰ David G. Savage, Employee Lies Punishable, Justices Say, Los Angeles Times, 02-22-98.

²¹ \$1.4-Million Bias Case Settlement OK'D, Los Angeles Times.

1. Chief Executive Officer of the State of California he received a telegram
2. from Leon and Esther Lofton requesting execution/enforcement of
3. judgment case #895188 and the return of the Lofton minors to their
4. parents. Before election to a second term as Lieutenant Governor for the
5. State of California the Los Angeles Times printed an article extolling the
6. contributions immigrants had made to California. Mervyn Dymally, one
7. of the named immigrants was identified as a native of Trinidad. He was
8. not reelected. Instead the State of California had a Democratic Governor
9. and a Republican Lieutenant Governor. An article in Los Angeles Sentinel
10. stated, "Congressman Mervyn M. Dymally ...featured speaker...of the
11. United States House of Representatives of the 31st District of California, is
12. a **native** of Trinidad, West Indies.²² Mr. Mervyn M. Dymally presently
13. serves Compton as Assemblyman for the 52nd District, State of California.

14. There is no record of the personal contact made by Esther Lofton
15. with Mayor Bradley.

16. Yvonne Brathwaite Burke, 2nd District Supervisor is the third
17. executive representing residents of inner city Los Angeles. Supervisor
18. Burke in whom all powers (executive, legislative and judicial) are
19. vested²³ has a comparable measure of contempt for the rule of law
20. that she boldly flaunts.

21. Every candidate who runs for an elective office in the United States
22. must submit a Declaration of Candidacy, Affidavit of Nominee. An affidavit

²² Dymally Slated at First, *Los Angeles Sentinel*, 09-06-90

²³ County Los Angeles Charter, ARTICLE 1, Section 1.

1. is a written and printed declaration or statement of facts, made voluntarily,
2. and confirmed by the oath or affirmation of the party making it...²⁴ When
3. Mrs. Burke ran for the 28th District Congressional seat the affidavit she
4. submitted stated: "she lives at 4041 Marlton Avenue, Los Angeles,"²⁵ which
5. is a suite of offices located in the Crenshaw area, not a residence. Voters
6. of the 28th Congressional District of California elected her to serve a
7. second term in the House of Representatives, her last term in Congress
8. 1974-76. In 1979 Governor Edmund G. Brown Jr. appointed her to
9. complete the term of 4th District Supervisor James Hayes, another way to
10. inform electors of the second district, County of Los Angeles that Ms.
11. Burke's major residence was located in the 4th district. Electors of the 4th
12. District County of Los Angeles cast their ballots for Deana Dana electing
13. him 4th District Supervisor in 1980.²⁶ Despite being told Mrs. Burke's
14. major residence was in the 4th district she succeeded Supervisor Kenneth
15. Hahn as supervisor of the 2nd district ...without difficulty; that is, until a
16. reporter from the Los Angeles Times photographed her in November 2007
17. exchanging driving positions, daily, with her chauffeur as she drove to and
18. fro from her major residence in the 4th district

19. After her swearing-in ceremony (12-06-92) she received a petition
20. from Leon and Esther Lofton dated December 6, 1992 requesting
21. execution/enforcement of the judgment and order, case 895 188. It took

²⁴ Black's, p. 54.

²⁵ Los Angeles Times, "3 Candidates Vie for 28th District Congressional Seat," 6-02-74.

²⁶ Richard Simon, Campaign Racial Overtones Raised in County Remapping Suit, Los Angeles Times, 01-11-90.

1. an interview with Supervisor Burke in May 1993, the filing of a first writ of
2. mandate May 13, 1993 and testimony before the Board of Supervisors
3. that was accompanied by a written statement to finally receive a
4. response from Supervisor Burke dated January 6, 1993 that was
5. not received until 01-12-94. Paragraph 2 states: A review of your litigation
6. by County Counsel (Superior Court Case No. 895188) indicates that it was
7. dismissed by the Superior Court on April 12, 1967 with no judgment
8. having been taken against the County of Los Angeles. Mrs. Burke who
9. identifies herself as a career civil attorney and yet she relies upon the
10. advice of the losing attorney. This doesn't make sense unless her hidden
11. agenda is to defeat the efforts of her constituents, Leon and Esther Lofton,
12. pro pers, in an arena in which lawyers exercise a monopoly. Another
13. tactic engaged in by inner city attorneys to defeat opponents is through
14. delay, once called continuances. Let your opposition swing in the wind
15. enough for them to become exhausted and liable to make a mistakes. For
16. any matter to pend from January 23, 1967 until February 3, 2004 proved
17. to be long enough. A writ of mandate filed October 6, 2003 case #086123:
18. 123: Esther M. Lofton v. Yvonne B. Burke produced the misstep. It did not
19. matter that the purpose for which all government offices, including
20. supervisor, were created was to protect and secure the inalienable rights
21. to all of her constituents, the gist of case #895 188. When Esther M.
22. Lofton made the misstep of failing to appear in court February 3, 2004
23. Judge Dzintra Janavs had (almost) no other alternative than to issue the

1. order as per the motion of the attorney for the defense which stated:
2. Whereas Petitioner Esther M. Lofton failed to furnish and post the bond in
3. the amount of \$5000 as security pursuant to § 391.1, Code of Civil
4. Procedure (CCP) by January 15, 2004, as ordered... the action brought
5. ...against Mrs. Burke... is dismissed pursuant to §391.4 (CCP) Judgment
6. is entered in favor of Yvonne B. Burke.

7. It is further ordered ...Petitioner... is prohibited from filing any new
8. litigation in the courts..., in propria persona without first obtaining leave of
9. the presiding judge...

10. The order contains a second page titled EXEMPLIFICATION (an official
11. Transcript of a document from public records, made in form to be used as
12. evidence, and authenticated or certified as a true copy²⁷) has the
13. signatures of: Executive Officer/ Clerk John A. Clarke; Presiding Judge of
14. Superior Court Robert A. Dukes and Registrar-Recorder/ County Clerk,
15. Conny B. McCormack.

16. The judgment and order, case # 086 123 has never been issued to
17. Plaintiff Esther M. Lofton by Judge Dzintra I. Janavs.

18. The use of the term *almost* implies that the court lacks the power to
19. give such an order for when any segment of government is destructive in
20. securing and protecting the God-given inalienable rights, the foundation of
21. which is the right to gainful employment, especially to an honorably
22. discharged, disabled American combat infantry veteran of a foreign war
23. like Leon E. Lofton Jr. The power to alter or abolish that segment of

²⁷ Blacks, p.513.

1. belongs to the people.

2. While inner city officials ignore the rights of their constituents, with
3. impunity, an atmosphere that breeds contempt for the law, illegal aliens
4. see this as an opportunity to slip into the country fully aware that people
5. that have been treated shabbily in their own land are less likely to offer
6. them opposition. This was the state of affairs when Ahmed Adan Ahmed,
7. a native of Somali, came to [REDACTED] in 1989 as a renter and
8. three years later identified himself as a property owner.

9. Dale L. Pierson no longer gainfully employed struggled to pay the
10. mortgage on property she had financed to buy out her brother who also as
11. an heir shared ownership in the property with her. Ahmed Adan Ahmed,
12. and his two brothers in the United States as students, all illegal aliens,
13. lacked the power to bring his immediate family to America and wouldn't
14. dare leave for fear of not returning; made a deal that Dale L. Pierson
15. couldn't refuse. In 1990 Dale L. Pierson went to Africa to introduce herself
16. and communicate to the family how they could enter America with a
17. sponsor, like her, remain beyond the prescribed period, get an education,
18. and become gainfully employed. In the fall of 1990, 13 Somalis arrived in
19. the United States becoming residents at [REDACTED] Avenue:
20. mother, father, a tall brother, a shorter brother with twin sons, an older
21. sister with a son and daughter, a younger sister with two sons and their
22. slave girl. It was easy to recognize that Amed Adan Ahmed was a scam
23. artist as he bragged how he was going to get a new fence without paying

1. for it from workers constructing a fence for LAUSD in the school behind
2. the two properties. He got his new fence, without paying for it, by
3. accusing the men of destroying his property without his permission. The
4. men erected one for him from the best boards from the discarded fences
5. leaving a sizable gap between the ground and the bottom of the slats, a
6. definite construction flaw. Ahmed was argumentative, too, when Leon
7. constructed a fence separating the two properties, recognizable as
8. another dodge to avoid paying a share of improvements on the property
9. line that most neighbors share.

10. A date nut palm tree, a freak of nature, whose roots had spread
11. across the property line became Ahmed's cause. When he became
12. aware that the residents at [REDACTED] wanted to remove the tree his first
13. statement was, "Dale's grandmother planted the tree."

14. When Esther's response was, "Nobody would be stupid enough to
15. plant a tree like that near the foundation of their property," his next claim
16. was that Dale had inherited the tree with her property. It did not matter to
17. Dale that this was a lie and her neighbor knew it was. It did not matter to
18. Dale that the roots of the tree covered over $\frac{3}{4}$ of her neighbor's walkway.
19. All she could see was that the trunk of the tree she had prevented her
20. neighbor from removing had dislodged a brick column to her residence.

21. July 13, 2006 Michael filed a small claims action #LAM 06M09646:
22. Michael L. Lofton v. Dale Pierson to remove the tree. July 28, 2006 raw
23. sewage backed up into his basement after using the washing machine.

1. He called a plumber, paying double for this emergency that occurred on a
2. Sunday. The tape made by American Plumbers confirmed that roots from
3. the date nut palm tree had caused the collapse of the sewage line at [REDACTED]
4. [REDACTED] Michael entered a claim with his carrier, Allstate Insurance
5. Company. It is important to note that In 2004 after very heavy rains he
6. contacted Allstate about his basement flooding, a new phenomena in early
7. 2000. The claims officer made an on sight inspection stating that the
8. flooding was caused by unclean drains on either side of the property
9. that blocked the run-off, an implausible reason for the drains were kept
10. open. He recommended that Michael pave a small area of land on the
11. north east side of the property, a possible entry for the water. Heavy root
12. growth underground indicated that the investigator, an experienced claims
13. investigator, deliberately mislead his clients.

14. August 23, 2006 an unsigned order dated 08-17-06 was received
15. ordering Dale L. Pierson to pay \$4000 and \$80 to Michael L. Lofton for
16. damages to his property, which later damage proved was an inadequate
17. sum. The order of the court making Dale Pierson liable for damages to
18. his property was made in pursuant to the constitution and laws. A very
19. defiant Dale Pierson, supported by Ahmed Adan Ahmed still interfered
20. preventing tree men hired by Michael from cutting tree roots back to make
21. repairs to his sewage line. It was necessary to engage the services of
22. Attorney Gary Casselman before he was able to have the tree roots cut
23. back far enough to repair the sewage line. The defendant appealed basing

1. her appeal on an animist *tree law*, since her original claim was defeated
2. by a picture taken November 1980 showing no date nut palm tree. The
3. residents of [REDACTED] located in their files a letter dated
4. 09-17-92 where Ahmed Adan Ahmed signed as owner of [REDACTED]
5. [REDACTED], an ownership claim that conflicts with a QUITCLAIM deed
6. dated 11-15-83 recording Dale Davis as sole owner of [REDACTED]
7. [REDACTED]. The two documents reveal evidence that property fraud and
8. perjury had been committed by Dale Pierson and Ahmed Adan Ahmed.

9. The two scam artists began to claim ownership of three other palm
10. trees, trees that Dale had disclaimed owning under oath two of which were
11. entirely located on their neighbor's property. Severe windstorms came to
12. Los Angeles approximately March 25, 2007 heaping fronds on the north
13. side of [REDACTED] which made it mandatory for safety to
14. both individuals and property to remove the palm trees. Every attempt
15. made to have the trees removed was thwarted by claims of ownership by
16. the Somalis. Frustrated a petition dated 07-24-07 was addressed and
17. hand- delivered to the district office of Councilman Herb Wesson and
18. carbon copied to Mayor Antonio Villaraigosa. The petition contained
19. copies of the letter dated 09-12-92 and a copy of the Quitclaim Deed
20. recorded 11-15-83 evidencing property fraud. No thanks to Councilman
21. Wesson all four palm trees were removed from [REDACTED]
22. [REDACTED], with only the stumps remaining. The men felled the trees on
23. August 22, 2007 destroying another smaller tree when the date nut palm

1. tree was felled. Michael has not been repaid for his financial losses nor
2. has his property been repaired from the damage caused by the illegal acts
3. of his neighbors.

4. It is equally reprehensible that the neighbor Dale L. Pierson, a
5. domestic enemy who circumvented action by Immigration and
6. Naturalization Services (INS), a federal agency, can, with impunity,
7. sponsor the permanent entry of people from Somali who are employed on
8. jobs requiring citizenship, Ahmed Adan Ahmed a teacher at Los Angeles
9. Trade tech while Plaintiff Michael L. Lofton, a citizen, is on NS/NP status
10. with LADWP, without cause.

11. United States Senator Dianne Feinstein forwarded to Michael L.
12. Lofton correspondence dated 01-24-08 that he received on 01-29-08
13. which had as an enclosure a copy of a two-paged letter dated 01-17-08
14. from Jim L. Swart, Acting Director, Office of Drug and Alcohol Policy and
15. Compliance which conspicuously omits in his signed statement proof of
16. any kind or type that Michael L. Lofton has ever been a substance abuser.
17. Nevertheless Michael L. Lofton has been deprived of his most sacred and
18. inviolable property right despite prohibitions against such deprivation in
19. the constitution and laws of the State of California and of the United States
20. of America.

21. "But when a long train of abuses and usurpations, pursuing
22. invariably the same object evinces a design to reduce them under
23. absolute despotism, it is their right, it is their duty, to throw off such

1. government, and to provide new guards for their future security.²⁸

2. Date: February 21, 2008

By:

Michael L. Lofton
(Michael L. Lofton)

3.

4.

5.

VERIFICATION

7. I, Michael L. Lofton, am the Plaintiff in propria persona in the above
8. entitled action. I have read the foregoing complaint and know the contents
9. thereof. The same is true of my own knowledge, as to those matters
10. which are herein alleged on information and belief, and as to those
11. matters, I believe it to be true.

12. I declare under the penalty of perjury under the laws of the State of
13. California that the foregoing is true and correct.

14. Date: February 21, 2008.

By:

Michael L. Lofton
(Michael L. Lofton)

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

²⁸ Declaration of Independence, adopted in Congress July 4, 1776.