

Michael L. Lofton  
(Addressed removed for privacy)  
May 27, 2011

Hon. David S. Wesley, Assistant Presiding Judge  
The Superior Court 111 North Hill Street  
Chambers of Judge David S. Wesley  
Los Angeles, CA 90012

Attention: The Honorable Lee Smalley Edmon, Presiding Judge, Civil Department

Re: LASC Case No. 10K18049 Letter dated 05-23-11

Dear Judge Wesley:

I have also responded to the letter received from the Honorable Daniel J. Buckley pertaining to Commissioner St. George's fee waiver decision. No where therein did I make any complaint whatsoever of Commissioner St. George's decision to deny me a fee waiver I should never have applied for in the first instance.

I did not appear (with notice) in court; he (the commissioner) did his job.

No American citizen needs a fee waiver where there is massive governmental failure as documented in **Limited Liability Case #10K18049: HSBC Bank v. Michael L. Lofton.**

From my vantage point it seems that the court should be more concerned with the substantive issue of a dysfunctional government (case #10K18049) similar to the type demonstrated by the 5-4 decision by Justice Thomas of the Supreme Court of the United States that was worse than the *Black Codes* of yesteryear which overturned the \$14M jury decision awarded to Mr. Thomas (unrelated) just a few days prior to his execution in the state of Louisiana for a murder that evidence (hidden by the prosecution) proved he did not commit.

In the correspondence from you dated 5-23-2011 that states "As you are aware, on February 18, 2011, a clerk's judgment in the amount of \$11, 130.17 was entered in favor of HSBC Bank Nevada.....",

A court clerk does not have the power to rule, render, and/or affix her signature to any court judgment at the expense of the rights of either party in Los Angeles Superior Court case, especially as applied to Case 10K18049, the demurrer in case 10K18049, and the related case 895188 to where there are no issues in dispute, and/or the proposed judgment order for redress submitted to Judge Steven Kleifield, the “judge of court of record”.

In the correspondence from you dated 5-23-2011 that states “In your (my) most recent letter, it appears you (I) seek to have a judgment in the amount of \$X@XX@XX@XX entered against a non-party, the Los Angeles Unified School District, in this case. Your (my) request was previously denied by the Honorable Steven J. Kleifield on May 2, 2011”.

This is a lie. I have yet to receive the first court document signed by the Honorable Steven J. Kleifield on May 2, 2011, and/or any other past or present date to deny redress in Los Angeles Superior Court Case 895188.

*"Insisting on honesty as the only policy, the Supreme Court ruled Wednesday that public employees can be punished for lying, even when they merely deny an accusation that later turns out to be true".*

*" ....Chief Justice William H. Rehnquist. 'An employee who is asked about possible wrongdoing has only two responses: Tell the truth or say nothing". (LA Times, January 22, 1998)*

....."Tell the Truth or Say Nothing" also applies to everyone, which includes any Supreme Court Justice, County Court Presiding Judge, County Court Assistant Presiding Judge, Judge, court clerk, Deputy City Attorney, elected official, Police Chief, police officer, lawyer, journalist, electrician, etc.

“Upon motion of Plaintiffs the action is dismissed as to all fictitious defendants. No Law and Motion matters are pending or likely. All discovery has been completed and none will be permitted hereafter. The matter is ready to be set for trial. .. The case is set for trial on April 12, 1967 at 9:00 a.m. in Department 1. Appearing April 12, 1967 a 9:00 a.m. in Department 1 of the above titled court before Presiding Judge Donald R. Wright in case #895188 were the attorney for the Defendants, Deputy Los Angeles

County Counsel Mr. Ron Apperson and Plaintiffs in propria persona, Leon and Esther M. Lofton holding 4 months old Gena in her arms. County Counsel Ron Apperson announced, "Your honor, I am here for settlement." Appearing somewhat angry Judge Wright directed, "Mr. Apperson, tell county counsel to dismiss this action." Leon E. Lofton blurted, "That's your job Judge Wright." Court deputies circling the outer perimeter of the courtroom advanced towards Leon stopping only when so directed to by a hand signal from Judge Wright." (Source: Los Angeles Superior Court Case BC385899, pg 8, lines 18-23 and pg 9, lines 1-12.)

Execution and enforcement of Los Angeles Superior Court case 895188 is long overdue. Considering the severity and longstanding damage done by agents and officials of government to gainful employment opportunity, family rights, the unwarranted jailing, unwarranted persecution of an honorably discharged draftee disabled WWII Veteran of Leon E. Lofton, Jr., Mrs. Esther M. Lofton, and/or the Lofton siblings, the problem is not with Michael L. Lofton, as it concerns default or otherwise, which as stated again any notion of default on my part in Superior Court Case 10K18049 is a bold face lie being circulated by officers of this court. The problem is decades long contempt for the rule of law, the U.S. Constitution, "Equal Justice and Protection Under the Law", the California Constitution by past and present elected officials in the 2<sup>nd</sup> Los Angeles County District, the City of Los Angeles, and/or the 10<sup>th</sup> Los Angeles County District. Judgment in the amount of \$X@XX@XX@XX as entered against the Los Angeles Unified School District has been earned and I expect no less.

In the correspondence from you dated 5-23-2011, you intentionally left out important material facts, in that:

(1). I filed with this same court and served on the plaintiff my answer to the complaint acknowledging the debt, which I cannot pay unless I receive my LADWP retirement benefits. That same service contained a document asking the court to take judicial notice of Los Angeles Superior Court case #895188: Lofton v. LAUSD, another case to which the defendants have admitted to guilt to each and every allegation.

(2) The Service of the Notice of Hearing on Demurrer by U.S. mail on the parties of interest in case #10K18049: 2<sup>nd</sup> District LA County Supervisor Mark Ridley Thomas and Mayor Antonio Villaraigosa are elected officials sworn under oath and mandated by law to uphold the U.S. Constitution, namely the 14<sup>th</sup> Amendment, as applied to “Equal Justice and Protection Under the Law”. Since there are no issues in dispute in LA Superior Court Case 10K18049, and LA Superior Court Case 895188, then execution and enforcement of the law are warranted for the plaintiffs in LA Superior Court 10K18049, and for the plaintiffs in Superior Court Case 895188.

(3) I paid the necessary filing and court fees in the amount of \$370.00 at the Stanley Mosk Los Angeles Superior Court.

(4) I'm a 30 year taxpaying resident of the 10<sup>th</sup> Los Angeles Council District, the County of Los Angeles, and the State of California. I'm also a 30 year employee of the LADWP whose retirement benefits are being held hostage by the LADWP.

(5) Sometime between 8:00 AM and 11:00 AM on January 19, 2011, LADWP water utility workers removed LADWP's water meter, and installed a tamper-proof plug on the utility source, leaving me without a source of water to my residence.

(6) On January 27, 2011, *neither the plaintiff nor the interested parties* appeared in court in case 10K18049, where there are *no issues in dispute*.

(7) On January 30, 2011, I forwarded by first-class mail my (proposed) Judgment and Order, case #10K18049 to the judge of the court, the Honorable Steven Kleifield.

(8) On February 8, 2011, I served my proposed judgment and order by first-class mail on the plaintiff and the interested parties Supervisor Mark Ridley Thomas and Mayor Antonio Villaraigosa.

In the correspondence from you dated 5-23-2011 that states “This office can be of no further assistance in this matter. Accordingly, no further action will be taken on this matter and I am ordering it closed.”

Any judge who is not the “judge of court of record” who orders case 10K18049, the Michael L. Lofton's Demurrer to Case 10K18049, Case 895188, and/or Case BC385899 closed would have contempt for the rule of law, the 14<sup>th</sup> Amendment of the

U.S. Constitution, and Article 6, Section 19, of the California Constitution. Judge Steven Kleifield, the "judge of court of record" must render judicial decision based upon Los Angeles Superior Court case 10K18049, the proposed judgment order, to execute and enforce the proposed Judgment Order, pursuant to the 14th Amendment of the U.S. Constitution, and Article 6, Section 19, of the California Constitution.

That saying, "If you don't want to pay the fine or serve the time, then don't commit the crime" also applies to the LAUSD, the LADWP and/or the City of Los Angeles.

Sincerely,

A handwritten signature in cursive script, reading "Michael L. Lofton", is written above a horizontal line.

(Michael L. Lofton)

One Enclosure:

Correspondence dated 5-23-2011 from the Honorable David S. Wesley, Assistant Presiding Judge, Civil Court

Cc: The Honorable Lee Smalley Edmon, Presiding Judge, Civil Department, no front letter.



# The Superior Court

LOS ANGELES, CALIFORNIA 90012

CHAMBERS OF

DAVID S. WESLEY

ASSISTANT PRESIDING JUDGE

TELEPHONE  
(213) 974-5550

May 23, 2011

Michael L. Lofton




Received  
5-25-2011  
mdd

Re: Your Letter Dated May 6, 2011

Dear Mr. Lofton:

Presiding Judge Lee Smalley Edmon asked me to respond to your letter dated May 6, 2011.

You should be in receipt of a letter dated May 8, 2011 from the Honorable Daniel J. Buckley, Assistant Supervising Judge of the Civil Courts. As set forth in his letter, Judge Buckley reviewed your concerns about Commissioner Matthew St. George's ruling on your request for a fee waiver in LASC Case No. 10K18049, HSBC Bank Nevada v. Michael Lofton. As stated by Judge Buckley, neither the presiding judge nor a supervising judge has the authority to review, overrule, intervene in or otherwise affect the outcome of any matter proceeding before another judicial officer. Judge Buckley concluded that he could take no further action on your complaint and closed the matter.

As you are aware, on February 18, 2011, a clerk's judgment in the amount of \$11,103.17 was entered in favor of HSBC Bank Nevada and against you in LASC Case No. 10K18049. In your most recent letter, it appears you seek to have a judgment in the amount of  entered against a non-party, the Los Angeles Unified School District, in this same case. Your request was previously denied by the Honorable Steven J. Kleifield on May 2, 2011.

This office can be of no further assistance in this matter. Accordingly, no further action will be taken on this matter and I am ordering it closed.

Very truly yours,

David S. Wesley  
Assistant Presiding Judge

DSW: rm

c: Hon. Daniel Buckley, Assistant Supervising Judge, Civil Courts