

1 **RENAE LYNN FERGUSON**  
2 **C/O Americas Freedom Foundation**  
3 **1156 Central Ave # 700**  
4 **Los Angeles Ca, 90021**  
5 **323-960-7704**

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
7  
8 LOS ANGELES COUNTY  
9  
10 SAN FERNANDO DISTRICT

11 **PEOPLE OF THE STATE OF**  
12 **CALIFORNIA**

13 Plaintiff

14 V

15 **RENAE FERGUSON**

16 **BY Defendant**  
17 **Pro Se**

18 **CA. # PA 036550**

19 **NOTICE OF MOTION AND MOTION**  
20 **FOR RECONSIDERATION OF OR TO**  
21 **VACATE THE DENIAL OF DEFENDANTS**  
22 **RIGHT FOR DEMUR, AS REQUIRED**  
23 **CPC #1002 DECLARATION POINTS &**  
24 **AUTHORITIES AMENDMENT TO**  
25 **PREVIOUSLY FILED MOTION FOR**  
26 **DEMURRER**

27 DATE: June 7, 2002  
28 TIME: 1:30 P.M.  
PLACE Courtroom I  
EST. Time : 2 Hours

20 TO THE CLERK OF THE ABOVE-ENTITLED COURT; TO THE PEOPLE OF  
21 THE STATE OF CALIFORNIA AND THEIR ATTORNEY ETAL:

22 PLEASE TAKE NOTICE that on June 7, 2002 at 1:30 p.m. or as soon thereafter as counsel  
23 may be heard in Courtroom I of the above-entitled Court, Defendant, Renae Ferguson, will move  
24 for demur. AND FOR THE DISMISSAL OF ALL CHARGES ON THE GROUNDS IN SAID  
25 DEMURRER, THAT THE COURT LACKS JURISDICTION, ON NEWLY DISCOVERED  
26 **EVIDENCE OF OUTRAGEOUS GOVERNMENT MISCONDUCT AND THE**  
27 **WITHHOLDING OF DISCOVERY**. The denial of right to a **speedy trial**, effective assistance  
28 of counsel ECT ETAL.

1 The defendant may demur to the accusatory pleadings at any time prior to the entry of a plea,  
2 defendant informed her attorney prior to her first appearance at in court that she was exercising  
3 her right to demur and each attorney appearing on her behalf was instructed to obtain full  
4 discovery and file her demur see declaration of Americas freedom foundation by Dr. Edward  
5 Reddeck Exhibit A &B

6 **Ms Ferguson Has From the Beginning of this case until this day**  
7 **Has Been Willfully denied effect assistance of Counsel**  
8 **By all her attorneys as is the unwritten custom!**  
9

10 **The actual or constructive denial of assistance of counsel is legally presumed to result in**  
11 **prejudice see U.S. V Cronin 80 Led 2d 657, Cuyler V Sullivan 64 Led 2d 333. For it is the**  
12 **duty of the attorney to bring to bear such skills and knowledge as will render the trial a**  
13 **reliable adversarial testing process Powell V Alabama 77Led 258**

14 The government's actions to deprive defendant of due process and equal protection of the law  
15 is a betrayal of their public trust is an effort to obstruct justice, the courts truth seeking purpose  
16 and is a compounding of the conspiracy to violate defendants rights under color of law and  
17 government authority.

18 The government in this case for almost **four years** has withheld BRADY material discovery  
19 and has suppressed evidence of the wide spread and long-lasting criminal conspiracy to  
20 manufacture cases out of whole cloth against ms Ferguson and the malicious prosecution to cover  
21 up same.

#### 22 **Relevant Facts**

23 This is a very complex case which involves corruption and abuse of power with multiple  
24 government agencies, and private citizens conspiring with them in at least two counties which  
25 pales the **ramparts scandal** in comparison by its serious implications for our constitutional form  
26 of government the rule of law an the lives liberty and property of all in calif. This case is the  
27

1 result of a racketeering enterprise conducted by the private Ventura County Humane Society, the  
2 Ventura County District Attorney Michael Bradbury and their various agents and other co-  
3 conspirators.

4 This conspiracy to violate Mrs. Ferguson's first amendment and other constitutional rights  
5 under color of law began when the Ventura County Humane Society first attempted to destroy  
6 Mrs. Ferguson's riding school for children, by illegally attempting to get her teaching contracts  
7 with the city of Ventura Parks and Recreation department for horse back riding lessons for  
8 children canceled.

9 When they were unsuccessful with this illegal act and torturous interference with her  
10 business they then fabricated a pretext to steal two old horses from Mrs. Ferguson, one which was  
11 a family pet Lady Legs, which was in their custody and control for more than twenty years. They  
12 alleged that this 33-year-old horse and a newly acquired older horse, two out of eight horses at  
13 this school were skinny because they were being starved when at all time they knew that these  
14 horses were thin because they were old.

15 The humane society, after having Lady Legs, in their control and custody for only six weeks,  
16 so abused this horse and neglected her that she contacted colic In an effort to destroy evidence of  
17 their illegal act they knowingly and willfully killed Lady Legs, the horse that taught Mrs.  
18 Ferguson to ride as a little girl.

19 The humane society and the district attorney covered up the killing of Lady Legs for more  
20 than six months, while the humane society through newspaper articles and doctored photos gave  
21 the impression that Lady Legs was doing well in their care, when in fact they had murdered her.

22 When the defendant and her father learned from an informant that the humane society had  
23 killed their family pet they filled civil rights damage suits in state and federal courts against the  
24 humane society and the Ventura County district attorney Michael Bradbury.

25 In retaliation district attorney Michael Bradbury began a rain of terror through acts of tyranny  
26 with his agents and others who conspired to destroy Mrs. Ferguson and West Coast Ridding  
27 academy.

1 They conspired to have her evicted from some stables, obstructing the purchase of other  
2 stables, canceling teaching contracts for riding lessons for children with the City of Ventura,  
3 Agoura City and Conejo Valley Parks and Recreations to be canceled incurably damaging West  
4 Coast Riding Academy a nonprofit religious ministry incorporated in 1995, as well as damaging  
5 Mrs. Ferguson ability to earn a living.

6 This scorch earth policy and police state acts of tyranny by these government employees an  
7 their agents, included but is not limited to the illegal causing of Mrs. Ferguson's children to be  
8 taken from her and given to her ex-husband who has a history of mental illness, use of control  
9 substances, and admitted drug dealer, and an informant for district attorney Michael Bradbury,  
10 who has admitted to helping Bradbury obtain a conviction by perjury and placing an individual on  
11 death row. This evil has been accomplished through perjury, false official fillings and the  
12 political influence of Bradbury

13 It is further a fact learned by newly discovered evidence that Lance Ferguson has been from  
14 the very beginning of this case an agent provocateur for Bradbury, who was having Ms Ferguson  
15 stalked, destroying her business and riding school, who was believed to be involved with Larry  
16 Bowers in the theft of a stallion valued at \$15,000 or more from the Bowers stables which was  
17 owned by West Coast Riding academy.

18 Bowers, his wife, family, and employees, abused the horses of West Coast Riding Academy  
19 to the extent that they had to be rescued with the help of law enforcement. Lance Ferguson as  
20 newly discovered evidence has disclosed is working as an agent for Bradbury with the LA city  
21 animal control, LAPD, Jeanne Demato, LA city attorney and other know and unknown  
22 individuals and organization in the conspiracy to destroy the ministry and school of West Coast  
23 Riding Academy and in the theft of horses from at least five different locations.

24 In order to obtain release from the civil rights damage suits and to retaliate against Mrs.  
25 Ferguson and her father from seeking protection and damages in state and federal court and to  
26 affect a cover up of this conspiracy Bradbury personally conspired to cause multiple civil and  
27 criminal prosecutions of Mrs. Ferguson and family members.

1 Newly discovered evidence had also discovered that an agent for Bradbury, Cathleen Doyle a  
2 competitor of West coast riding academy and a private citizen has been actively involved in  
3 directing the LA city animal control and LA police dept. and providing them with money and  
4 other things of value to conduct this investigation.

5 In the furthering of the conspiracy to destroy Mrs. Ferguson the business of West Coast  
6 Riding Academy and to steal their property Ms Doyle was a personal friend of The Prosecuting  
7 Deputy City Attorney Robert Ferber, who had helped her in her various political and business  
8 actives who together hold religious and Political beliefs regarding animals that differ from  
9 defendant and most Americans who are using our legal system to force on others their beliefs or  
10 to punish them for their failure to comply with their beliefs.

11 The City of los Angeles, LAPD and co conspirators rewarded Doyle for Her help in this  
12 conspiracy by Giving her the horses belonging to West Coast Riding Academy Evidence in this  
13 case without a court order, the theft of evidence out of the government evidence locker in a  
14 criminal case, and further reward her with money by a court order for her acts in this crime by the  
15 LAPD City attorneys and co-conspirators etal.

16 The government has refused to discover this evidence as required by law **Brady v**  
17 **Maryland 10 Led 2d 215, -U. S. V Sterinberg DAR 1315 C (9<sup>TH</sup> cir) and in Gigio V U.S. 450 ,**  
18 **150 the courts held that the prosecution suppression of material evidence justifies dismissal**  
19 **of all charges irrespective of the prosecutors good or bad faith** and are attempting to further  
20 involve the LA county district attorney in their conspiracy and they have conspired to obstruct  
21 justice, which when fully expose will shock the conscious of the judge of this honorable court and  
22 give him the opportunity to Purify our Temples of Justice and to correct this mockery of justice.

### 23 CONTROLLING LAW

24 **The U.S. Supreme Court Justice Earl Warren writing for the court ruled in (U.S.**  
25 **Kransky 607 F2d (1979) held that when the government has poisoned the waters in the**  
26 **reservoir of justice it cannot be cleansed without first draining it of all impurities.**

27 **That if the court has any duty to perform in this regard it is to see that the waters of**

1 **justice are not polluted. The pollution having taken place the condition must be remedied at**  
2 **the earliest opportunity and the reservoir of justice *cannot be purified until drained of all***  
3 ***impurities.***

4 **The Facts in the Complaint do not state a crime.**

5 The government's complaint is manufactured out of whole cloth as in all times they knew that  
6 West Coast Riding Academy was incorporated in 1995 and that tens of thousands of dollars of the  
7 personal money of Ms Ferguson and her family was used in establishing this religious and  
8 educational ministry which from its founding offered education and character building programs  
9 for children, similar to those of other programs of its nature.

10 This constitutionally protected organization is protected from any government interference by  
11 the first amendments exclusionary rule, which does not even require any incorporation; there is no  
12 requirement that a religious ministry registered with the IRS or any government agency to be  
13 lawful. **Furthermore, there is a federal consent agreement with the LAPD against their**  
14 **interference with the fund-raising activities of religious organizations.**

15 It is interesting to note that the lawful LA County judges association composed of lawyers and  
16 judges did not file tax return or file as a tax exempt organization with the state franchise tax board  
17 or the internal revenue service until 1997. See *LA Daily News February 26, 2001.*

18 Furthermore, the government knows that West Coast Riding Academy and Defendant was  
19 advertising a riding program for disadvantage children at the Demato stables.

20  
21 That Demato was an agent of **Michael Bradbury**, as was **Cathleen Doyle** who also was an  
22 agent of Bradbury and the lapd. A Colleague of city attorney Robert Ferber who with others  
23 conspired to lock ms ferguson of the property. So she could not feed the horses or give riding  
24 lessons while they manufactured this case. **But for District Attorney Bradbury**, LA City agents,  
25 and co-conspirators willfully obstructing this opportunity through their continuous conspiracy to  
26 destroy defendant and West Coast Riding Academy.

27 **The crimes committed in this case are not by defendant or the riding academy but by the**

1 **forgoing government agencies their employees and co-conspirators in the furtherance of a**  
2 **conspiracy to destroy this riding school.** In Fact the Deputy city attorney Ferber has recently  
3 admitted to the la times that federal laws under The Us Code # seven denies the city **jurisdiction**  
4 in this type case. He has also failed to discover this exculpatory evidence.

5 In **U.S. V Guthrie 789 F2d 356 (5<sup>th</sup> Cir 1996) the court held that to punish a person**  
6 **because she had done what the law plainly allows is a due process violation of the most basic**  
7 **sort.**

### 8 **NO ADEQUATE NOTICE OF THE CHANGES AGAINST DEFENDANT**

9 The complaint does not substantially conform to the provisions of Sections 950 and 952, and  
10 also Section 951 in case of an indictment or information.” (Penal Code Section 1004(2)).

11 The function of criminal pleadings in the State of California is to give an accused adequate  
12 notice of the charges against him. Even though the particular circumstances of the charge need to  
13 be alleged, sufficient notice to satisfy due process must be given, People vs. Jackson (1978) 88  
14 Cal. App. 3d 490, 151 Cal. Rptr 688.

15 Literal compliance with Penal code Section 952 is insufficient in the face of the demurrer if  
16 the accusation fails to give constitutionally adequate notice of what the accused must defend  
17 against. People vs. Jordan (1971) 19 Cal. App. 3d 362. Moreover, pleading in the language of the  
18 statute is also insufficient when the statute is not sufficient in itself to define the offense. The  
19 complaint also failed to state how being giving horses is in fact a crime.

20  
21 **The law controlling this case is crystal clear. That a prior restraint on First Amendment**  
22 **Rights even for a moment is irreparable harm.**

### 23 **THE GOVERNMENT IS EXCLUDED IN AREAS OF RELIGION**

24 The U.S. Supreme Court has ruled in Lemon V. Kurtzman 403 U.S. 602, 91, 29 LED 2D 745,  
25 that the government is to be entirely excluded from areas of religion.

### 26 **SPEAKERS MUST BE ABLE TO SPEAK WITH SECURITY**

1 That speakers cannot be made to wait for years for Judicial determination of standards under  
2 a statute before speakers are able to speak with a measure of [security], Riley V. National  
3 Federation of Blind, 487, U.S. 781.

#### 4 **CRIMINAL PROSECUTION BARED**

5 In Bantam Books V. Sullivan 372 U.S. 58, the U.S. Supreme Court held that the first  
6 amendment bars a criminal prosecution if motivated by the improper purpose of interfering with  
7 defendants' First Amendment Rights. See Dom Browksi v. P. Fister 380 U.S. 479 (1975) U.S. V.  
8 PHE 965 F2D 848. U.S. v PHE INC 965 F2D 848 (TH Cir 1992 were the courts bared criminal  
9 prosecutions when the government conspired to engage in multiple acts of civil and criminal  
10 prosecution designed to destroy a lawful business that some government agents did not like.

11 The purpose also was to destroy their victim's ability to earn an income, to have the money to  
12 pay for legal protection, **to drain them emotionally and financially**, so they would no longer  
13 have the will or ability to defend themselves and to protect their rights against these deadly and  
14 dangerous government predators, which is the exact policy being followed in this case.

15 It is interesting to note that the government attorney who developed this scheme was a  
16 previous employee of the Ventura County district attorney's office.

#### 17 **ABSOLUTELY NO PRIOR JUDICIAL RESTRAINTS**

18 The First Amendment tolerates absolutely no prior judicial restraints on First amendment  
19 rights, New York Times v. U.S. 29 LED 2d 882. Perry V. Sindermann 408 U.S. 593.

#### 20 **EVEN MINIMAL PRIOR RESTRAINTS CONSTITUTES IRREPARABLE HARM**

21 The U.S. Supreme Court held that the deprivation of rights guaranteed by the U.S.  
22 Constitution for even minimal periods constitute irreparable injury in the context for injunctive  
23 relief, see Austin v. Keefe 29 led 2D.  
24

25 The court held in Natco Theaters Inc. v. Rather 473 Spp. 1125 (1979), where the acts by the  
26 government involves a deprivation of plaintiff and the public's first amendment rights constitutes  
27

1 irreparable injury , requiring, injunctive relief, because there is no means to make up for the  
2 irretrievable loss, of that which would have been expressed and causes irreparable injury both  
3 economical and personnel. The U.S. Supreme Court has ruled over and over again that [the loss  
4 of First Amendment Freedoms for even minimal periods of time unquestionably constitutes  
5 irreparable injury.]

6 The First Amendment is as close to an absolute as we have in our jurisprudence as in a  
7 Constitution, for a free people. There can no doubt that the liberty must be broad indeed. See  
8 *Bonding v. Sharpe* 98 Led 884, U.S. V. U.S. District Court for the Central District of California  
9 858 F2D 534 (9<sup>th</sup> Cir 1988) the First Amendment does not permit the imposition of criminal  
10 sanctions, where doing so would chill protected speech, also see *Smith v. California* 4 Led 2D  
11 205.

12  
13 **INTERFERENCE WITH RIGHTS OF ACCESS TO THE COURT**  
14 **IS OBSTRUCTION OF JUSTICE**

15 Interference with right of access to the courts constitutes a conspiracy to obstruct justice,  
16 *Ryland v. Shapiro* 708 F2d 967 (1983).

17  
18 **PROSECUTOR'S POWERS MAY NOT BE USED TO**  
19 **OBSTRUCT CIVIL RIGHTS CLAIMS**

20 The government prosecutorial power may not be used to exact release of related civil rights  
21 claims *Dixon v. D.C.* 394 F. 2D 966, also see *McDonald v. Music* 425 F2D 373 (9<sup>th</sup> Cir 1970).  
22 *Boyd V. Adams* 513 F2D 83 ( 7<sup>th</sup> Cir 1975).

23  
24 **MANDATORY INJUNCTION REQUIRED**  
25 **TO PROTECT LITIGANTS AND WITNESSES**  
26 **IN OUR COURTS**

27 The retaliation against witnesses and litigants in our courts is that the insult that such  
28

1 retaliation against litigants or witnesses would produce goes beyond the injuries suffered by the  
2 individuals themselves. The integrity of the courts process suffers inevitable destruction. Johnson  
3 V. Interstate Power Company 187 F Sup 361 (1960), Bell V. Hood 90 Led 939 1446, U.S. V.  
4 Farrar 414 F2D 936, 938 5<sup>th</sup> Cir.

5  
6 **THE COURTS CAN ORDER DEFENDANTS TO PROVIDE**  
7 **PLAINTIFF WITH MONEY TO OBTAIN JUSTICE**

8 **The Courts have the authority to order the government to spend the necessary funds for**  
9 **equitable relief in the face of irreparable damages to a defendant to restore the status Quo,**  
10 **EEC V. Locals 14 & 15 Intern. U of Open. Eng. 438 F Spp. 875.**

11 The broad rule laid down is that whenever some **paramount authority** prevents a person from  
12 exercising his legal remedy the matter is not time barred and will not become stale for the loss of  
13 time, Buchanan v. Shaw 1. How 56 11 Led 46, Wagner v. New York 146 F Spp. 926, Fenegias V.  
14 Wagner 1149 9<sup>th</sup> Cir. 1998 [Cline v. Bruse 661 F2D 108 9<sup>th</sup> Cir.

15 The government has obstructed defendants' right to be heard on her demurrer further  
16 attempting to obstruct the public administration of justice thorough the withholding of critical  
17 discovery involving the conspiracy to violate defendants' rights under the color of law to withhold  
18 exculpatory information and the facts of their conspiracy to destroy a lawful business and to steal  
19 its property to affect a cover up.

20 **It could be that up to this point that the La county district attorney has been manipulated**  
21 **by the LAPD , the Ventura County District Attorney, and co-conspirators, however, now that**  
22 **they have the full facts available to them, it is their duty in the interest of justice to**  
23 **immediately join with the defendant and requesting that the court dismiss all charges with**  
24 **prejudice against the government. *In Jencks v U.S. 657, 1 Led 2d 1103 the court again held***  
25 ***that it is the will of the people that the government should not just win cases but that justice be***  
26 ***done.***

27 **Their failure to do so will on its face prove that the corruption uncovered in the**  
28

1 Rampart scandal was not brought about solely by the LAPD, but is the result of a pattern  
2 practice and custom of the LA County District Attorney's office of obtaining convictions of  
3 the innocent through perjury suborning perjury, and withholding evidence from defendants  
4 of government and prosecutorial misconduct. In this case the continuous conspiracy to steal  
5 Horses by the government and their co conspirators give them and money to their friends and  
6 maliciously prosecute defendant to cover up same.

7 **PRAYER FOR RELIEF**

8 **The Defendant moves this honorable court for the following relief:**

9 1. That this court grant defendant her right for a complete demur hearing with facts, evidence,  
10 and witnesses.

11 2. That this court grant defendants demur on the face of her pleadings and to dismiss all  
12 charges against her with prejudice against the government and enjoin any further prosecutions or  
13 harassment of defendant, West Coast Riding Academy, their employees, family members,  
14 associates, or clients.

15 3. That this court order the return of all property belonging to West Coast Riding Academy  
16 and Mrs. Ferguson, and that the governments be ordered to pay money for equitable relief to  
17 restore the status quo of West Coast Riding Academy's ministry and riding school activities.

18 4. **That this court order the unsealing** and that transcripts be prepared on all the **Marsden**  
19 **Motions** in this case filled by Ms Craig co defendant , as they prove that defense attorneys will not  
20 or can not **Defend** their clients are **interfered** from **doing** so by **judicial** and **prosecutorial**  
21 **interference** which has incurably infected this case.

22 I declare the forgoing to be true and correct to the best of my knowledge under penalty of  
23 perjury executed this MAY 30, 2002 in La Ca.

24 Dated May 30 ,2002

25 \_\_\_\_\_  
Renae Ferguson

26 **Proof of Service**

27 I hereby certify that i have served a copy of the forgoing motion on the district attorney by mailing  
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a copy to him at the Airport courthouse Los Angeles Ca 91340 By prepaid first class mail.

June 1, 2002

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Maria Campos

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