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James Lovell, the guardian of Dakota and Blaze.
7444 La Honda Way
Yucca Valley, CA. 92284
760-362-3446

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
JOSHUA TREE DISTRICT

JUL 30 2012

In Pro Per

By DONNA A. KALEM
Dep. Clerk

**Superior Court of the State of California
For the County of San Bernardino, Joshua Tree.**

JAMES LOVELL guardians of DAKOTA and

BLAZE.,

Plaintiff,

vs.

TOWN OF YUCCA VALLEY

Defendants.

) Case No. CIVMS1200185

) Assigned for All Purposes To:
) Judge; Hon. Frank Gafgowski
) Dept. M4

) Filing fees exempt, Per Gov't Code 6103

) **TRIAL BRIEF FOR PLAINTIFF.**
) **MOTION TO DISMISS.**

) Date; Aug. 20, 2012
) Time 10:00 am..
) Dept M4

1

STATEMENT OF CASE.

It stated by Animal Control Officer Kim Casey, testified she interviewed two witnesses the same day
Regarding the incident, Mr. Gerard Van Der Veen and Ms. ShiryI Mandeville, both of these
witnesses also testified at this Administrative Hearing and corroborated their prior testimony to
officer Casey.

This couldn't possibly have happened for Mr. Van Der Veen wasn't at the scene, and Ms. Mandeville
only saw part of the attack, which part?

1 Animal Control Officer Kim Casey testified that Ms. Chester testified that she didn't even see the
2 dogs for she was covering her head.

3 States also she was bitten in the ankle and only the ankle, otherwise she was bruised up from the fall,
4 as the pictures show.

5 She got treatment at her doctor's office, of a tetanus shot and that's all she received.

6 I can see she was scared and my dog was scared also, it's my belief that Blazer re-acted to her fear.

7 Ms. Mandeville testified that she was working at the clubhouse which is approx. 800 ft. away. She
8 observed the individual Tim Woodward, getting the dogs off the victim. This could not have possibly
9 happened for it was James Lovell, there putting the dogs in his truck and had to roll the window up
10 with a key. Then going back to help Ms. Chester to make sure she was okay. Tim Woodward didn't
11 arrive at the scene till Ms. Chester was being helped back to the trailer court by Mr. Lovell, at that
12 time they were just reaching the back gate into the trailer park.

13 You can only go by the original hearing as to how it happened, not by what Officer Casey has
14 conjured and possibly even manufactured 3 different times in 3 different reports as to how it
15 happened.

16 All the witnesses should either be stricken or subpoenaed due to the fact that you can only go by Ms.
17 Chester statement in the A.R. transcript. Ms. Mandeville states she was walking at one time then she
18 was driving a car and ends up in a truck?

19 Officer Casey concluded that only Blazer showed territorial behavior, not Dakota.

20 Until this is taken care of the court cannot make a fair decision. There are conflicting statements
21 from witnesses.

22 Abuse of powers by Animal Control.

1 Who is the behavioral specialists regarding this case, Officer Kim Casey or Mark Nuaimi. Where are
2 their qualification support and licensing certificates?

3 Duties that were not performed by Town Manager.

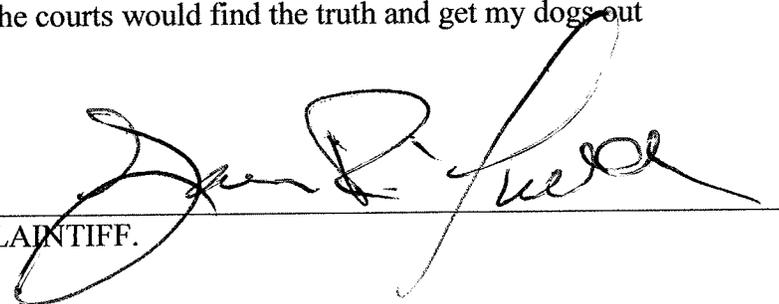
4 Statements of perjury.

5 Conclusion,

6 There is no case where a ~~Animal~~ Control Officer fabricated a story as script for these witnesses

7 So therefore no legal authority, but this will be a case of legal authority.

8 Something is wrong here and I'd hope the courts would find the truth and get my dogs out
9 immediately.

10
11
12 DATED: 7-30-12 
13 PLAINTIFF.

14 FBBFRAAVMMLVMSLKNVWLRJS.

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They should pay you for the waiver to release their liability?

E.S.T.O. P.

Prevent by legal rule=

to use the legal rule of estoppel to prevent something.

(past and past participle es·topped, present participle es·top·ping, 3rd p
singular es·tops)

I have a right as to regarding the agreement, to a waiver of liability and asking me to forfeit my rights under the E.S.T.O.P.

THAT YOU SHOULD PAY ME IN THEORY, to forfeit fines. So I can companions released. While we litigate in court as to all allegations, in have been altered or fabricated. There is no reason for these dogs to be anymore for this has been bad for their physical and mental state of being. Until we come to an agreement there is no reason what so ever, that the home so that we can start to comply with what we can. As to statements lawyer, Christy Lopez, in her opposition brief.

It states I haven't done anything to comply with their demands. As to fee large kennel.

First I would like to have the dogs fixed so I can get them licensed and There is a brand new kennel, that code enforcement should have no problem Okaying it.

You've only determined these dogs are "potentially dangerous" by false stated in factual findings

In the first paragraph Officer Casey testified that she had that she had in witnesses, one Mr. Gerard van der veen and Ms, Shiryl Mandeville, both witnesses testified at the administrative hearing and that they corroborated testimony to officer Casey.

First Gerard van der veen was never even at scene nor interviewed, he called the judge a paper stating what he knew about the dogs and their disposition acted and so forth. Due to the fact I couldn't talk at this time for I was going surgery on the 1st of March. 2 days after the hearing. Reason being I spent with the dogs watching over them when Lovell can't take them with him

been approx. 6 months old, and I have never seen them show territorial behavior or go after anyone under my care.

Bring this to the attention of Mark Nuaimi, who stated I was redundant and I didn't know as to what I was talking about and would not answer any of my questions regarding this issue.

State code.

As to Ms. Shyril Mandeville, her office which she left at different times her work (what time?) The office being 800 ft away from where it happened, she states she saw and heard it all.

There is no question that Ms. Chester had been bitten by Blaze, the victim Ms. Chester in fact got a tetanus vaccination and that was it.

Lovell was very remorseful that Blaze did this.

Mandeville though did testify she was working in the office at clubhouse 800 ft. away. She couldn't have seen 2 dogs and the barking behind her, (Sheppard bark)

Now here's a problem, was it Chambers or Chester that allegedly got bit?

Officer Casey gave her concluding testimony with her opinion, that the male dog Blaze and only Blaze showed territorial behavior at the quarantine shelter, and nothing was ever said about Dakota at that time.

Ms. Chester,

In Animal control minutes there is someone named Ms. Chambers.