Diane C. Bass, State Bar # 155670
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301 Forest Avenue
Laguna Beach, California 92651
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Attorney for Defendant
Irene Pemkova

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. IRENE PEMKOVA, Defendant	Case No.: SA CR 08-180-DOC EX PARTE APPLICATION FOR AN ORDER ALLOWING DEFENDANT TO TRAVEL FOR URGENT MEDICAL TREATMENT; RETURN OF PASSPORT AND DECLARATION.

Defendant, Irene Pemkova, by and through her attorney of record, hereby applies to this court ex parte for authorization to travel to Europe to obtain urgent medical treatment. Defendant further requests the temporary return of her passport so that she may travel. This request is based on the attached declaration and exhibits and any argument that may be necessary.

Dated: January 31, 2009

Respectfully submitted,

_____/s/_____
Diane C. Bass
Attorney for Defendant
Irene Pemkova

I, Diane C. Bass, declare as follows:

1. I am an attorney at law, duly licensed to practice in the Central District of California. I am the appointed attorney of record for defendant, Irene Pemkova.

2. I am informed and believe that defendant is a citizen of the Czech Republic and that she resides in the United States as a resident alien.

3. Defendant reports that she suffers from multiple life threatening conditions for which she was being treated in Brno, Czech Republic just prior to her arrest in this case.

4. Defendant further reports that she is indigent and is not covered by any form of health insurance in the United States. She is however, covered by the health system in the Czech Republic.

5. According to the documents attached hereto as Exhibit "A" which is a is a true and correct copy of a letter from defendant's physicians and notarized translation into English, Defendant suffers from immune system dysfunction of unknown origin that damages the vital organs. She was being treated by immunologists, internists and other experts. She was scheduled to appear for her next appointment on August 9, 2008 but was unable to attend due to the restrictions placed upon her as a condition of her release in this case. The physicians treating defendant have stated that it is absolutely necessary that defendant return for treatment as soon as possible or they will not be liable for the consequences that will ensue.

6. The failure of defendant's immune system can be seen by studying the attached blood test results (attached hereto as Exhibit "B".) Defendant's Leukocytes are 338.94 when normal levels are 4.5 – 11. According to defendant, all of the highlighted areas indicate life threatening system failures. Defendant further explained that with respect to the items listed in her blood test, "Number 1. Hemoglobin Healthy level 150-174 has dropped from 132,21 to 47 in June 2008. Number 4 normal level: 4.5- 11, the cancer patients with a 3-4 weeks of life have this parameter

in low 50, the highest seen in Europe was 60, mine 338,94 and 402,98 indicates I was technically dead."

7. Furthermore, defendant claims that her incarceration in this case caused harmful effects as defendant suffers from extreme allergies so her diet is extremely limited and adequate nutrition was not provided and she was not given her medication. Defendant claims that because of her condition "exposure to HIV, TBC, microbes, bacteria, diseases and full anti hygienic conditions, lack of sufficient medication, eatable food, drinking water, contaminated air, unbearable cold, I have survived just by a miracle." .Defendant claims she has scars from the sores that developed as a result of her incarceration.

8. Most recently, there was a sewage leak in defendant's apartment which has exacerbated her condition.

9. It is therefore, respectfully requested that defendant be permitted to travel to the Czech Republic for a period of four weeks as soon as possible so that she may undergo treatment for her condition.

10. Defendant further requests the temporary return of her passport so that she may travel.

11. I have spoken with Assistant United States Attorney, Lawrence Kole about defendant's request and he has indicated that since the request involves international travel, he cannot stipulate.

12. I have communicated with defendant's pretrial services officer Erin Oliver who does not take a position in this situation.

13. Defendant had spoken with FBI agent Reitz about this case prior to leaving for the Czech Republic in June of 2008 and yet she returned to the United States with full knowledge of the investigation of her current charges. She is therefore, not a flight risk.

14. Defendant indicates that she will travel to Brno, Czech Republic, if allowed, where there are clinics that use non-invasive full body diagnostic protocols to determine the full extent of the damage she has suffered. They will then administer the latest in immunotherapy.

15. Defendant further indicates that she will stay at the Holiday Inn Krizkovskeho 20 in Brno Czech Republic.

16. Defendant currently resides in Las Vegas, Nevada but is willing to drive to California to answer any questions regarding this situation if necessary.

I declare that the foregoing is true based on knowledge and information.

Dated: January 31, 2009

_____/s/_____
Diane C. Bass

**********Program USPIH**********
**********Diagnostic abilities of multifunctional complex AMP**********
**********(automatic noninvasive method of determination of blood test)**********
********** Malyhin-Pulavski **********

29.3.2008 19:52:55 Dr IP 259 Sex:W

Age:44 Weight:38 Breath.Freq..:18 Pulse:80 737

34,232 34,588
35,730 177,498
36,410 36,538

Blood formula:
1. Hemoglobin HGB /normal 115 –174g/l 132,21 g/l
2. Erythrocytes RBC /normal 3.7-5,8/ : 4,47 1 mm 3
3. Lymphocytes /normal 19-37l : 5,47 %
4. Leukocytes WBC /normal 4.5 –11/ : 338,94
5. Segmented neutrofiles /normal 47–72/ l : 83,44 %
6. Erythrocyte sedimentation rate ESR /normal 2-15/ l: 36,93 mm/h
7. Eosinophils /normal 1 – 5/l : 0,87 %
8. Monocytes /normal 3 –11/ : 4,45 %
9. Stab neutrofiles /normal 1-5/l : 5,76 %-

Electrolyte metabolism:
10. Calcium (Ca) in plasma (norm 2,25..3,0) : 2,01 mmol/l
11. Magnesium (Mg) in plasma (norm 0,7..0,99) : 0,843 mmol/l
12. Potassium (K) in plasma (norm 3,48..5,3) : 4,477 mmol/l
13. Sodium (Na) in plasma (norm 130,5..156,6) : 139,6 mmol/l

The system of blood coagulation:
14. The begining of fibrillation (norm 30sec..2min)2`31`` min. sec.
15. The end of fibrillation (norm 3..5min) : 3`26`` min. sec.
16. The thrombocytes (norm 180-320) : 429,6 thousands
17. The haematocrite (norm 35..49) : 38,9 %

The fermentative system:
18. AST (norm 0,1..0,45) : 1,831 mmol/l
19. ALT (norm 0,1..0,68) : 1,704 mmol/l
20. AST (norm 8..40) : 93,8 U/l
21. ALT (norm 5..30) : 95,9 U/l
22. ALT/AST (norm 0,8..1,2) : 0,931
23. The amylase (norm 12..32 g/l*h) : 17,0 g/l*h
24. The total bilirubin (norm 8,6...20,5) : 12,9 mkmol/l
25. The conjugated bilirubin (norm 2,2..6,1) : 2,3 mkmol/l
26. The unconjugated bilirubin /normal 3.4/ : 10,6 mkmol/l
27. The concentration of plasma albumen /normal 68,9/ : 73,6 g/l

The oxygen assimilation and transportation:
28. The plasma density (norm 1048..1055) : 1053
29. The volume of circulatory blood(norm 68..70 man) (norm 65..69 women) 66,8 ml/kg
30. The minute volume of circulatory blood (norm 3,5..4,3 ml/min) : 5,343 ml/min
31. The rate of O2 delivery to tissue (norm 260..280 ml/sec) : 238,8
32. The surface of gaseous exchange (norm 3500..4300 sq.m.) : 3937,6 sq.m.
33. The vital capacity of lungs (norm 3500..4300 sq.cm.) : 1892,4 sq.cm
34. The transportation of oxygen (norm 900..1200 ml/min.) : 846,5 ml/min
35. The quantity of assimilated oxygen on 100 gr. of tissue (norm 3.12) : 1,9
36. The content of O2 in arterial blood (norm 95%..98%) :97,3 %
37. The cardiac ejection (norm 60..80 ml.) : 71,9 ml
38. The quantity of assimilated oxygen on kg (norm 4..6 ml/min/kg): 5,1 ml/min/kg
39. The pulmonary ventilation (norm 4..12 l/min) : 7,0 l/min
40. The quantity of assimilated oxygen ml/min (norm 200..250) : 143,7 ml/min
41. The quantity of myocardial oxygen consumption (norm 7..10 ml/min) : 8,9 ml/min

42. The deficit of circulatory blood (norm 0..250 ml.) : 36,9
43. The vital capacity of lungs in an expiration phase : 1125,78
44. The maximum flow of air (norm men 74..116 l/min) : 43,1
45. Test Tiffno (norm men. 84..110, women 86..109 %) : 96,6

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46. The fibrinogen (norm 2,0..3,5 g/l) : 3,3
47. The concentration of creatinine (norm 55..123) : 98,6 mmol/l
48. The dopamine B-hydroxylase (norm 31,5..32,5 nanom/ml/min) : 26,6 nanom/ml/min
49. The concentration of lactic acid (norm 0.99..1,38 mmol/l): 1,3 mmol/l
50. The concentration of urea (norm 2,5..8,3) : 5,1 mmol/l
51. The concentration of glucose (norm 4..6) : 4,1 mmol/l
52. The concentration of triglyceride (norm 0,55..1,85) : 1,41 mmol/l

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53. The cholesterol total (norm SI: 3,11..6,48 mmol/l) (norm 3,9..8,06[Fredrickson et al., 1967]) : 5,1 mmol/l
54. B- lipoprotein, (norm 17..55 mmol/l) : 39,0 mmol/l
55. B- lipoprotein g/l(norm 3..6) : 3,13 g/l
56. Low-density lipoproteins (norm 2,35..2,43 mmol/l) : 2,41 mmol/l
57. Lowest-density lipoproteins (norm 0,20..0,52 mmol/l) : 0,36 mmol/l
58. High-density lipoproteins (norm 2,5..6,5 mmol/l) : 1,65 mmol/l

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The CO2 assimilation and transportation::
59. CO2 discharge (norm 119..300 ml/min) : 247,8 ml/min
60. The content of CO2 gas in arterial blood (norm 32,5..46,6%): 53,9 %
61. The content of CO2 gas in venous blood (norm 51..53%) : 46,1 %
62. The rate of CO2 production (norm 150..340 ml/min) : 1489,8 ml/min

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The internal blood flow, in % to total blood flow:
63. The myocardium current of blood in (norm 4.67%) : 4,6 % of total blood flow
64. The muscles current of blood in(norm 15.75%) : 17,6 % of total blood flow
65. The cerebral current of blood in(norm 13.86%) : 15,0 % of total blood flow
66. The hepatic-portal current of blood in(norm 27.78%) : 24,2 % of total blood flow
67. The nephritic current of blood in(norm 23.34%) : 20,6 % of total blood flow
68. The skin current of blood in(norm 8.55%) : 6,0 % of total blood flow
69. The other organs current of blood in(norm 6.23%) : 4,2 % of total blood flow

The internal blood flow, in ml/min:
70. The myocardium current of blood(norm 250..290 ml/min) : 316,3 ml/min
71. The muscles current of blood (norm 930..1100 ml/min) : 1166,6 ml/min
72. The cerebral current of blood (norm 750..800 ml/min) : 726,8 ml/min
73. The hepatic-portal current of blood (norm 1690..1740 ml/min) : 1601,5 ml/min
74. The nephritic current of blood (norm 1430..1490 ml/min) : 1364,5 ml/min
75. The skin current of blood (norm 500..535 ml/min) : 399,0 ml/min
76. The other organs" current of blood (norm 375..390 ml/min) : 277,4 ml/min

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77. The acetylcholine : 87,0 mkg/ml (norm 81,1..92,1)
78. The acetylcholinesterase of erythrocytes : 261,3 mkmol/l (norm 81,1..92,1)

The time slice of cardiomechanics:
79. The interval PQ (norm 0,125..0,165) : 0,106 sec
80. The interval QT (norm 0,355..0,400) : 0,366 sec
81. The interval QRS (norm 0,065..0,100) : 0,082 sec
82. The contraction of miocard of the left ventricle of heart (norm 60%..85%): 48,4 %
83. The arterial pressure of systolic : 110,4 mm of mercury
84. The arterial pressure of diastolic : 73,8 mm of mercury
85. The resistance of lesser circulation (norm 140..150) : 148,3 din/cm*sec
86. The width of the third ventricle of cerebrum (norm 4..6 mm) : 6,8 mm
87. The pressure of spinal liquid (norm 90..145 millimeter of water) : 157,8 millimeter of water
88. The central venous pressure (norm 70..150 millimeter of water) : 55,3 millimeter of water
89. The time of lesser circulation(norm 16,0..23,0) : 24,9 sec
90. The time of systemic circulation(norm 4,0..5,5) : 6,8 sec

91. The spectral wave-length absorption of CO2 in blood(norm 4,165..4,335) : 4,862 mkm
92. The spectral wave-length absorption of N2O in blood(norm 3,7828..3,9372) : 3,702 mkm
93. The concentration of H2 of gastric juices(norm 1,2..1,7): 1,6

94. PH blood (norm 7,36..7,45) : 6,87
95. SH (norm 7,32..7,40) : 5,97
96. The cardiac work (Joule) : 0,805 (norm:0,692...0,788)
97. The glutamine acid : 0,00485 (norm:0,0045..0,0055 mmol/l)
98. The tyrosine acid : 1,62 (norm:1,4...1,8 mg*%[Zbarskiy B. I., 1972])
99. The creatine kinase of muscules : 410,26 (norm:473..483 mkmol/min/kg)
100. The creatine kinase of cardiac : 36,94 (norm:35,1..38,1..mkmol/min/kg)
101. The glycogen : 14,40 (norm: 11,7...20,6 children:7,5...11,7 mg%)
102. The wasting power of life support 82,37 kńal/kg/min (norm 1,23..4,3 kńal/kg/min)
103. The working rate of assimilated oxygen 73,83 (norm:45..60%)
104. The time of single load 4,40 (norm:3..10 min.)
105. The respiratory factor 1,06 (norm:0,8..1,2)
106. The Tyrozine 0,0063 mmol/l
107. The cerebral blood flow on 100g of tissue 38,06 norm:50..55 ml/100g
108. The testosterone of urine 7,23 (norm: men:6,93..17,34 women: 2,77..10,4 mkmol/24hours)
109. Total estrogen 122,49 (norm: men:17,95..64,62 women: 78,98..376,95 nanomol/24hours)
110. Extracellular water 81,30 (norm:21-23%)
111. Cellular water 22,38 (norm:39-42%)
112. Total water 62,24 (norm:53-60%)
113. The blood flow per 1gr of thyroid gland 3,88 (norm:4ml)
114. The blood flow per 1gr of cerebral tissue 2,98 (norm:2.9-3.2ml)
115. The index of extraction of tissue oxygen 0,290 (norm:children 0.296-0.336 adult 0.26-0.34)
116. Basal pressure of sphincter - Oddy 40,1 (norm:39-41)
117. The index of protrombin 79,2% (norm:75-104%)

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It is preliminary result, an automatic help for a doctor in charge:
The spectral wave-length of N2O absorption is changed. 3,702 mkm.
It is distinguished the rising of fermentative activities astroproteins (aspartattransaminase, alaninetransaminase).
There is the vegetovascular dystonia, the liquor-venous discirculatory. There is the liquor hypertensive syndrome.
It is distinguished the derangement of gastrointestinal tract function (chronic gastritis, gastroduodenitis?).
There is the vegetovascular dystonia mainly by hypotonic type. It is distinguished the asthenovegetative syndrome.
The spectral wave-length of N2O absorption is changed. . The blood flow of small pelvis organs is reduce. It is recommended the advices of gynecologist, proctologist and gastroenterologist.
There is the hypertension of lesser circulation.
The tonic derangements are possible.Mg=0,843 Ca=2,01
The wide of the 3d ventricle is =6,8mm.
It is recommended the advices of gynecologist?. The blood flow of other organs is 4,2 %

P R O D I K , s p o l . s r . o .

Potvrzení

Potvrzujeme tímto, že od února do července 2008 byla
Dr Irene Pimková, bytem: 1306 Dorothy Ave suite 1, Las Vegas - Nevada 89119, USA
u nás pravidelně diagnostikována a léčena na disfunkci imunitního systému neznámého původu, která poškozuje životně důležité orgány.
Léčba byla sledována a konzultována zkušenými imunology a internisty a dalšími odborníky.
Pokračování léčby bylo naplánováno na 9.8 2008.
Pacientka se nedostavila a vzhledem na prodlevu, která tak nastala, hrozí možné selhání její imunity a životně důležitých orgánů.
Doposud provedená vyšetření ukázala, že se nejedná o AIDS, tuberkulózu, venerické choroby či jiné nakažlivé choroby.
Je bezpodmínečně nutné, aby se pacientka co nejdříve dostavila k pokračování započaté léčby!
V tomto případě již nenese naše diagnostické centrum a spolupracující lékaři a odborníci odpovědnost za vzniklé následky.

V Brně 2.9.2008

PRODIK, spol. s r.o.
Mezírka 1, 602 00 BRNO
DIČ: CZ49454153

Ing. Ladislav Čapek
jednatel

Běžné číslo ověřovací knihy 0 5 7 1 / 2008
Ověřuji, že
Ing. Ladislav Čapek, r.č. 551009/0542, Brno, Cyrilova 1908/43,
jehož totožnost byla prokázána platným úředním průkazem,
tuto listinu před mou vlastnoruční podepsal.

V Brně dne 2. 9. 2008

Mgr. Lenka Matavělková
notářská koncipientka
pověřena notářkou

JUDr. VĚRA NĚMCOVÁ NOTÁŘKA V BRNĚ * 3 *

Translation from the Czech language

PRODIK, spol. s r. o.

Certificate

We hereby confirm that **Dr. Irene Pimková**, address: 1306 Dorothy Ave suite 1, Las Vegas – Nevada 89119, USA, was regularly diagnosed and treated at out clinic from February until July 2008, for immune system dysfunction of unknown origin that damages vital organs.
The treatment was monitored by and consulted with experienced immunologists, internists and other experts.
Next treatment was planned for August 9, 2008.
The patient did not appear, and the lag that occurred may cause failure of her immunity as well as of her vital organs.
The tests done up to now have shown that she does not suffer from AIDS, tuberculosis, venereal diseases or other contagious diseases.
It is absolutely necessary that the patient should come as soon as possible to continue with the treatment begun!
In this case, our diagnostic center and our cooperating physicians and experts are not liable any more for any consequences that might arise.

In Brno, on Sept. 2, 2008

Stamp:
Prodik, spol. s r.o.
Mezírka 1, 602 00 Brno
Tax Reg. No.:CZ49454153

Ing. Ladislav Čapek
Managing Director
[Illegible signature]

Serial Number in the Book of Verifications: O *5432/2008*
I hereby verify that
Ing. Ladislav Čapek, Birth Certificate Number 551009/0542, Brno, Tyršova 1908/48,
whose identity was proved by his valid official identity card,
signed this document with his own hand in my presence.
In Brno, on Sept. 2, 2008

[Handwritten signature illegible]
Mgr. Lenka Moravčíková
Notary's secretary
authorized by the notary

[Notary's seal]

CLAUSE OF INTERPRETERSHIP

As an interpreter of the German and English languages, appointed by the Regional Court on February 28th, 1994 (ref. Spr 1518-93), I hereby certify that the translation agrees with the text of the attached document.

I made the following corrections to the translation:

.....

The interpreting transaction is registered under journal serial No. 46.

According to Item No. 9398 , I charge ..... CZK for ..... page (s).

As reimbursement for my services, I charge the total amount of ..... CZK according voucher No. ..... .

L.S. Signature of the interpreter

.....

Interpreter:

Mr. Pavel Skřivánek

Diane C. Bass, State Bar # 155670
Law Office of Diane C. Bass
301 Forest Avenue
Laguna Beach, California 92651
Telephone: (949) 494-7011

Attorney for Defendant
Irene Pemkova

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. IRENE PEMKOVA, Defendant	Case No.: SA CR 08-180-DOC [PROPOSED] ORDER ALLOWING DEFENDANT TO TRAVEL FOR MEDICAL TREATMENT AND TEMPORARY RETURN OF PASSPORT

IT IS SO ORDERED THAT Good Cause having been found, defendant may travel to the Czech Republic for medical treatment for a period of time not to exceed 4 weeks.

IT IS FURTHER ORDERED THAT defendant's passport shall be returned to her temporarily so that she may travel to the Czech Republic. Her passport shall be returned to the clerk of the court upon her return.

Dated:

_____
HONORABLE DAVID O. CARTER