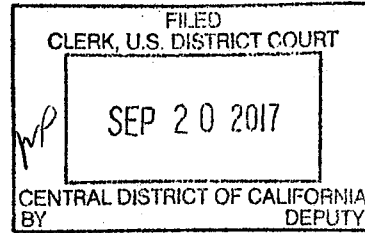


1 Travis Middleton
2 27 West Anapamu St. #153
3 Santa Barbara, California [93101]
4 Telephone: 805-284-6562
5 Email: travis_m_93101@yahoo.com



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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11
12 TRAVIS MIDDLETON, ET AL.,
13 Plaintiff (Misnomer(s));
14 Travis Middleton, et al.
15 Plaintiffs/Applicants,

16
17 vs.

18
19 RICHARD PAN, et al.
20 Defendant(s).

) **PLAINTIFFS' APPLICATION FOR**
) **DEFAULT BY CLERK PURSUANT**
) **TO**
) **Fed. R. Civ. P. 55(a), Common Law**
) **& UCC 1-103.6**

) This Application is filed under the American
) Free Flag of peace of the united states of
) America. No jurisdiction under any American
) flags of war will be accepted in this Case
) Incorporation

) Incorporated Case No. 2:16-cv-05224-
) SVW-AGR

) Date: September 14, 2017
) Court Room 10A, Tenth Floor
) First Street Court House
) Hon. Stephen V. Wilson


) Oral Argument vacated

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28 **TO THE CLERK OF THE ABOVE ENTITLED COURT**

1 Plaintiffs, Applicants and Parties Injured, Travis Middleton, Eric Durak, Jade
2 Baxter, Julianna Pearce, Candyce Estave, Denise Michele Derusha, Melissa
3 Christou, Andrea Lewis, Rachil Vincent, Jessica Haas, Paige Murphy, Lori Strantz,
4 Anwanur Gielow, Lisa Ostendorf, Alice Tropper, Bret Nielsen, Brent Haas, Muriel
5 Rosensweet and Marina Read, hereby requests that the Clerk of the above-entitled
6 Court enter a default in this matter against defendant Alicia G. Rosenberg on the
7 grounds that said defendant, has failed to appear or otherwise respond to Plaintiffs'
8 complaint within the time prescribed by this Court's Order given on July 13, 2017
9 (See attached Under **Exhibit A**) Docket No. 135.

10 The above stated facts are set forth in the accompanying Declaration of
11 Plaintiff Travis Middleton filed herewith.

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13 Dated: September 19, 2017

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15 Travis Middleton
16 Plaintiff, Pro Se
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1 Travis Middleton
2 27 West Anapamu St. #153
3 Santa Barbara, California [93101]
4 Telephone: 805-284-6562
5 Email: travis_m_93101@yahoo.com
6
7

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**
11
12

13 TRAVIS MIDDLETON, ET AL.,
14 Plaintiff (Misnomer(s));
15 Travis Middleton, et al.
16 Plaintiffs/Applicants,
17

18 vs.

19
20 RICHARD PAN, et al.
21 Defendant(s).
22
23

) **DECLARATION OF Travis**
) **Middleton, PARTY INJURED'S**
) **REQUEST TO ENTER DEFAULT**
) **BY CLERK PURSUANT TO**
) **Fed. R. Civ. P. 55(a), Common Law**
) **& UCC 1-103.6**
)

) This Declaration/Application is filed under the
) American Free Flag of peace of the united
) states of America. No jurisdiction under any
) American flags of war will be accepted in this
) Case Incorporation
)

) Incorporated Case No. 2:16-cv-05224-
) SVW-AGR
)

) Date: September 14, 2017
) Court Room 10A, Tenth Floor
) First Street Court House
) Hon. Stephen V. Wilson
)

) Oral Argument vacated
)

28

1 I, Travis Middleton, hereinafter Party Injured, being duly sworn according to law,
2 having first-hand knowledge of the facts herein, and being competent to testify, do
3 affirm that the facts herein are stated by the Party Injured, and are true, correct and
4 complete, stated under the penalties of perjury pursuant to the laws of the united
5 States of America. I submit this declaration in support of Plaintiffs/Party Injured's
6 request for default.

7 **1).** I know all men by these presents, Travis Middleton, brings this
8 Declaration/Application for relief pursuant to F.R.C.P. 55(a), U.C.C. 1-103.6 for
9 the people of the united States of America, under the American Flag of peace,
10 without an attorney, ex rel. and states:

11 **2).** Ex rel.: for the people of the united states; "...But it is the manner of
12 enforcement which gives Title 42 U.S.C. 1983 its unique importance, for the
13 enforcement is placed in the hands of the people." Each citizen, "acts as a private
14 attorney general who takes on the mantle of the sovereign, guarding for all of us
15 the individual liberties enunciated in the constitution." Section 1983 represents a
16 balancing feature in our government structure whereby individual citizens are
17 encouraged to police those who are charged with policing us all. Thus, it is of
18 special importance that suits brought under this statute be resolved by a
19 determination of truth." Wood v. Breir, 54 F.R.D. 7, (1972).

20 **3).** Definition: "Case Incorporated", the formation of a legal body, with the quality
21 of perpetual existence and succession. (2). Consisting of an association of
22 numerous individuals. (3). Matters relating to the common purpose of the
23 association, within the scope of the powers and authorities conferred upon such
24 bodies with the quality of perpetual existence and successions. Ref. Black's Law
25 Dictionary 67th, Pg. 690. "Case Incorporation" will establish the legal bounds of
26 the members of this lawful assembly to solve a specific "Case Number" and the
27 issues in motion.

28 **4).** Hereinafter:

1 F.R.C.P. = Federal Rules of Civil Procedure.

2 U.S.C.A. = United States Code Annotated.

3 U.S.C.S. = United States Code Service.

4 F.R.D. = Federal Rules Decision.

5 * F.R.C.P. Rule 4. Process, (a) Summons, (b) Form, (c) Service, (d) Summons and
6 Complaint, (g) Return Proof, (h) Amendments, (j) Time; F.R.C.P. Rule 5 Service,
7 (a) Required (d) Filing certificate.

8 * F.R.C.P. Rule 6 Time, (a) Computation (d) Motions and Affidavits.

9 * F.R.C.P. Rule 7 Pleadings, (a) Pleadings (b) Motions.

10 * F.R.C.P. Rule 8 Rules of Pleadings, (a) Claim for Relief (b) Defense form of
11 Denials (c) Affirmative Defense (d) Failure to deny (e) Pleading concise.

12 * F.R.C.P. Rule 9 Pleading special (b) Fraud (e) Judgments (f) Time and place (g)
13 Special damage.

14 * F.R.C.P. Rule 10 Form of Pleadings (a) Captions (b) Paragraphs.

15 * F.R.C.P. Rule 11 Signing of Pleadings, Sanctions.

16 * F.R.C.P. Rule 12 (a) Time of presented (b) How presented (c) Motion, Judgment
17 on Pleadings (f) Motion to Strike (h) Waiver (Subject Matter).

18 * F.R.C.P. Rule 15 Amended and Supplemental Pleadings a.b.c.d.

19 * F.R.C.P. Rule 16, (f) Sanctions (No contract, no fees).

20 * F.R.C.P. Rule 18, and 19 Joinder.

21 * F.R.C.P. Rule 24, Title 28, U.S.C. 2403 – Challenging Constitutionality.

22 * F.R.C.P. Rule 38, Trial by Jury.

23 * F.R.C.P. Rule 41, Dismissal of Action Voluntarily.

24 * F.R.C.P. Rule 49, Issues sent to Jury by Demand.

25 * F.R.C.P. Rule 50, New Trial.

26 * F.R.C.P. Rule 54, Demand for Judgment.

27 * F.R.C.P. Rule 55, Default.

28 * F.R.C.P. Rule 56, Summary Judgment.

1 5). Attached hereto as **Exhibit B** is a true and correct copy of Plaintiffs', Party
2 Injured's 2nd Amended Complaint face page. The 2nd Amended complaint was filed
3 into the record of this incorporated case on January 9, 2017 for VIOLATION OF
4 THE RACKETEERING INFLUENCED AND CORRUPT ORGANIZATIONS
5 ACT ("RICO") 18 U.S.C. §§ 1961, 1962(a)(b)(c), 1964 (a)(c) and 42 U.S.C. 1983,
6 1986.

7 6). By Order issued by this Court on July 13, 2017, the defendants were required to
8 respond, answer, or otherwise plead to Plaintiffs' 2nd Amended complaint within
9 thirty (30) days from date of this Order (August 16, 2017). Counsels for all other
10 defendants have complied with this Order. Defendant Alicia G. Roseneberg has
11 neither appeared by counsel or otherwise filed any kind of response. Neither
12 defendant Rosenberg nor anyone claiming to represent defendant Rosenberg has
13 contacted any of the Plaintiffs to request an extension of time to respond to the 2nd
14 Amended complaint.

15 8). The claim of Plaintiffs, Parties Injured is:

16 a). Restitution in the amount of \$15,200,000.00 U.S. dollars against all Defendants
17 jointly and severably Pursuant to *Bivens v. Six Unknown Named Agents of*
18 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971); 42 U.S.C. §§ 1983 & 1986;
19 *Common Law under Cal. Civ. Code 22.2, UCC 1-103.6; 18 U.S.C. § 1961(1)* by
20 *engaging in Obstruction of Justice in violation of 18 U.S.C. § 1503; 18 U.S.C. §*
21 *1951 relating to interference with commerce, robbery, or extortion; and, further*
22 *engaged in a Conspiracy to Racketeer in violation of section 1951 of section 1961*
23 *and 1962(d);*

24 For restitution under Civil Rights violations pursuant to the holdings of: *Cooper v.*
25 *Aaron*, 358 U.S. 1, 78 S.Ct. 1401 (1958);

26 b). Preliminary and permanent injunction against Defendant from the unlawful,
27 poisons and genocide inflicted upon the Plaintiffs and Plaintiffs' offspring by the
28 so-called vaccine bill known as SB277.

c). Preliminary and permanent injunction against Defendant from conspiring to
create more legislation that mandates poisons upon the public by any government
initiative.

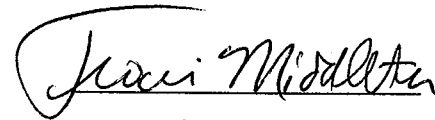
1 d). Declaratory order that the SB277 is void under united States law pursuant to
2 the supremacy clause of the united States constitution and the foot notes of
3 Adamson v. California 332 U.S. 46 (1947); *state law cannot violate the federal*
4 *constitution for it would be null and void.*

5 e). Declaratory order that the Defendants' acts, policies, and practices described
6 herein violate plaintiff's rights under the United States Constitution at
7 Amendments 1, 4, 5, 9, 14;

8 f). Plaintiffs' Party Injured's cost of this suit;

9 j). Plus interest of the judgment at the legal right until the judgment is satisfied.

10
11
12
13 Dated this 18th day of September, 2017



14
15 Travis Middleton
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17 Now, therefore, on request of Plaintiffs, Parties Injured, the DEFAULT of the
18 following named defendant is hereby entered:
19

20	Alicia G. Rosenberg	
21		
22		
23		
24		
25		

26 Clerk, U. S. District Court

27 By _____
28 Deputy Clerk

Date _____

VERIFICATION

1
2 We, Travis Middleton, Eric Durak, Jade Baxter, Julianna Pearce, Candace Estave,
3 Denise Michele Derusha, Melissa Christou, Andrea Lewis, Rachil Vincent, Don
4 Demanlevesde, Jessica Haas, Paige Murphy, Lori Strantz, Anwanur Gielow, Lisa
5 Ostendorf, Julia Anne Whitney, Alice Tropper, Bret Nielsen, Brent Haas, Muriel
6 Rosensweet, and Marina Read are Plaintiffs and Parties Injured in the above-titled
7 action. We have read the foregoing Complaint and know the contents thereof. The
8 same is true of our own knowledge, except as to those matters which are therein
9 alleged on information and belief, and as to those matters, we believe them to be
10 true.

11 I/we declare under penalty of perjury that the foregoing is true and correct and that
12 this declaration was executed at Santa Barbara, California.

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Respectfully submitted,
Travis Middleton
Travis Middleton
Plaintiff, Pro Se

By: *[Signature]*

By: *[Signature]*
Eric Durak
Plaintiff, Pro Se

By: *[Signature]*
Jade Baxter
Plaintiff, Pro Se

By: *[Signature]*
Julianna Pearce
Plaintiff, Pro Se

By: *[Signature]*
Candyce Estave
Plaintiff, Pro Se

By: *[Signature]*
Denise Michele Derusha
Plaintiff, Pro Se

By: *[Signature]*
Melissa Christou
Plaintiff, Pro Se

By: *[Signature]*
Andrea Lewis
Plaintiff, Pro Se

By: *[Signature]*
Rachil Vincent
Plaintiff, Pro Se

By: *[Signature]*
Jessica Haas
Plaintiff, Pro Se

By: *[Signature]*
Paige Murphy
Plaintiff, Pro Se

By: *[Signature]*
Lori Strantz
Plaintiff, Pro Se

By: *[Signature]*
Anwanur Gielow
Plaintiff, Pro Se

By: *[Signature]*
Lisa Ostendorf
Plaintiff, Pro Se

By: *[Signature]*
Alice Trooper
Plaintiff, Pro Se

By: *[Signature]*
Bret Nielsen
Plaintiff, Pro Se

By: *[Signature]*
Brent Haas
Plaintiff, Pro se

By: *[Signature]*
Muriel Rosensweet
Plaintiff, Pro Se

By: *[Signature]*
Marina Read
Plaintiff, Pro Se

By: *[Signature]*
Don Deman Levasde
plaintiff Pro Se

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EXHIBIT A

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRAVIS MIDDLETON, et al.,
Plaintiff,
v.
RICHARD PAN, et al.,
Defendant.

NO. CV 16-5224-SVW (AGR)

ORDER ACCEPTING FINDINGS AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

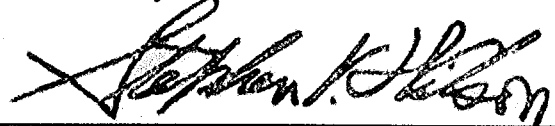
Pursuant to 28 U.S.C. § 636, the Court has reviewed the complaint, records on file, the Report and Recommendation of the United States Magistrate Judge, the document entitled "Refusal for Fraud" filed by Plaintiffs (which the court construes as objections), and Defendants' responses. (Dkt. Nos. 127, 130-132.) The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS ORDERED that (1) the following defendants: Dan Baker, Robbie Black, Robbie Block, Cindy Block, Candace Chen, Kristen Cooper, George Eskin, Sky Hill, Douglas Jackson, Annie Lam, Sue Lemke, Kevin McCarthy, Judy McCarthy, Erika McGuire, Diana Nazarian, Laura L. Quirk, Kathy Stone, Jane Wood and Pat or Pak Lafkas are dismissed without prejudice under Fed. R. Civ. P. 4(m); (2) Defendants'

1 motion to dismiss the First Amended Complaint is granted with leave to amend; and
2 (3) the Clerk is directed to file the Second Amended Complaint received on January
3 9, 2017.

4 IT IS FURTHER ORDERED that Defendants shall respond to the Second
5 Amended Complaint within 30 days after the entry of this Order.

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7 DATED: July 13, 2017



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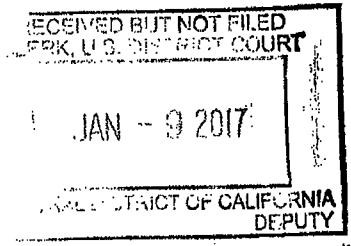
STEPHEN V. WILSON
United States District Judge

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EXHIBIT B

1 Travis Middleton
2 27 West Anapamu Street No. 153
3 Santa Barbara, California 93101
4 Travis m 93101@yahoo.com
5 (805) 284-6562

6 Pro Se



7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION

11 Travis Middleton, Eric Durak, Jade
12 Baxter, Julianna Pearce, Candyce
13 Estave, Denise Michele Derusha,
14 Melissa Christou, Andrea Lewis, Rachil
15 Vincent, Don Demanlevesde, Jessica
16 Haas, Paige Murphy, Lori Strantz,
17 Anwanur Gielow, Lisa Ostendorf,
18 JuliaAnne Whitney, Alice Tropper,
19 Bret Nielsen, Brent Haas, Muriel
20 Rosensweet, Marina Read,

21 Plaintiffs,

22 vs.

23 Richard Pan, Win-Li Wang, Martin
24 Jeffrey "Marty" Block, Gerald A.
25 "Jerry" Hill, Holly Mitchell, Catharine
26 Baker, Christina Garcia, Adrin
27 Nazarian, Jim Wood, Ben Allen, Kevin
28 de Leon, Hannah-Beth Jackson, Jeff
Stone, Richard Bloom, Bill Quirk,
Lorena Gonzalez, Reginald Jones-
Sawyer, Isadore Hall, Mark Leno, Bob
Wieckowski, David Chiu, Evan Low,
Anthony Rendon, Jim Beall, Robert
Hertzberg, Mike McGuire, Lois Wolk,

Incorporated Case No.:

LA CV16-05224-SVW-AGR

VERIFIED SECOND AMENDED
COMPLAINT FOR:

1. VIOLATION OF THE
RACKETEERING INFLUENCED
AND CORRUPT ORGANIZATIONS
ACT ("RICO") 18 U.S.C. §§ 1961,
1962(a)(b)(c), 1964 (a)(c);

- a). 1503-Obstruction of Justice
- b). 1952-Racketeering
- c). 1951- Extortion of Liberty Under
Color of Official Right

2. Bivens v. Six Unknown Named
Agents of Federal Bureau of Narcotics,
403 U.S. 388 (1971); 42 U.S.C. §§ 1983
& 1986

3. COMMON LAW JURISDICTION
UCC 1-103.6

DEMAND FOR JURY TRIAL
REQUEST LEAVE TO AMEND

Defendant

1 Bruce Wolk, Jim Cooper, Mark Stone,)
2 Edmund G. Brown Jr., Anne Gust,)
3 Alicia G. Rosenberg, Jonathan E. Rich,)
4 Jacqueline Y. Young, Cara L. Jenkins,)
5 The State of California and DOES 1)
6 through 10,)

7 Defendants.

8 *(Defendant Legislators are sued in their*
9 *"Personal-Private" & official*
10 *capacities)*

11 **COMPLAINT**

12 COMES NOW Plaintiffs, bringing this Incorporated Case, under the
13 American Flag of peace, and states:

14 Ex rel.: for the people of the united states; "...But it is the manner of enforcement
15 which gives Title 42 U.S.C. 1983 its unique importance, for the enforcement is
16 placed in the hands of the people." Each citizen "acts as a private attorney
17 general who takes on the mantle of the sovereign, guarding for all of us the
18 individual liberties enunciated in the constitution." Section 1983 represents a
19 balancing feature in our government structure whereby individual citizens are
20 encouraged to police those who are charged with policing us all. Thus, it is of
21 special importance that suits brought under this statute be resolved by a
22 determination of truth." Wood v. Breir, 54 F.R.D. 7, (1972).

23 Both statutes [RICO and Clayton Act] bring to bear the pressure of "private
24 attorneys general" on a serious national problem for which public prosecutorial
25 resources are deemed inadequate; the mechanism chosen to reach the objective in
26 both the Clayton Act and RICO is the carrot of treble damages. [Agency Holding
27 Corp. v. Malley-Duff & Associates][107 S.Ct. 2759, 483 U.S. 143, 151
28

CERTIFICATE OF SERVICE

This is to certify that I have on this 18th day of September, 2017 placed a true and correct copy of the:

PLAINTIFF'S APPLICATION FOR DEFAULT BY CLERK AND DECLARATION IN SUPPORT THEREOF in incorporated case No. 2:16-cv-05224-SVW-AGR at the below address, or by depositing the same in the U.S.

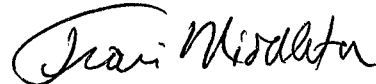
Mails to, DIANE F. BOYER-VINE (SBN: 124182) Legislative Counsel, ROBERT A. PRATT (SBN: 137704) Principal Deputy Legislative Counsel, CARA L. JENKINS (SBN: 271432) Deputy Legislative Counsel Office of Legislative Counsel 925 L Street, Suite 700 Sacramento, California 95814 Telephone: (916) 341-8245 E-mail: cara.jenkins@lc.ca.gov, Attorneys for Defendants:

Assembly Member Catharine Baker, Assembly Member Richard Bloom, Assembly Member David Chiu, Assembly Member Jim Cooper, Assembly Member Cristina Garcia, Assembly Member Lorena Gonzalez, Assembly Member Reginald Jones-Sawyer, Assembly Member Evan Low, Assembly Member Adrin Nazarian, Assembly Member Bill Quirk, Assembly Member Anthony Rendon, Assembly Member Mark Stone, Assembly Member Jim Wood, Senator Ben Allen, Senator Jim Beall, Senator Marty Block, Senator Kevin de Leon, Senator Robert Hertzberg, Senator Mark Leno, Senator Isadore Hall, Senator Jerry Hill, Senator Hannah-Beth Jackson, Senator Mike McGuire, Senator Holly Mitchell, Senator Richard Pan, Senator Jeff Stone, Senator Bob Wieckowski, Senator Lois Wolk;

To: KAMALA D. HARRIS Attorney General of California, RICHARD T. WALDOW ELIZABETH S. ANGRES, Supervising Deputy Attorneys General; JONATHAN E. RICH (SBN 187386), ELIZABETH G. O'DONNELL (SBN 162453), JACQUELYN Y. YOUNG (SBN 306094), Deputy Attorneys General, 300 South Spring Street, Suite 1702, Los Angeles, CA 90013 Telephone: (213) 897-2439 Fax: (213) 897-2805, E-mail: Jonathan.Rich@doj.ca.gov Attorneys for Defendants Governor Edmund G. Brown, Jr., and the State of California.

AND; To: Marine Pogosyan, Clerk to Magistrate Judge Alicia G. Rosenberg, United States District Court Central District of California 312 North Spring Street Los Angeles, California 90012. **Certified Mail No.: 70161370000130208065.**

I declare under penalty of perjury that the above is true and correct.



Travis Middleton

27 West Anapamu St. #153
Santa Barbara, California [93101

Travis Middleton

*C/O 27 West Annapolis #153
Santa Barbara, California [93101]*

RETURN RECEIPT
REQUESTED

*United States District Court Clerk
Central District of California
312 North Spring Street Room 5-8
Los Angeles, CA 90012*

RECEIVED
CLERK, U.S. DISTRICT COURT
SEP 20 2017
CENTRAL DISTRICT OF CALIFORNIA
DEPT. OF JUSTICE

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CERTIFIED MAIL

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