

Deputy Murillo Serves Eviction Notice

Recording Name:
[DPTY MURILLO SERVICE EVICTION]

Transcript Prepared By:



DITTO

720-287-3710
1355 S. Colorado Blvd.
Suite C515
Denver, CO 80222

DUNS Number: 037801851
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1 Bereki: Good morning.

2 Murillo: Hi, are you Adam?

3 Bereki: Hi, yes. How are you?

4 Murillo: I'm good. I'm Deputy Murillo with the Sheriff's
5 Department. The reason why I'm here is 'cause --

6 Male: Hey, stop.

7 Murillo: -- uh, I have this Notice to Vacate. Are you aware of
8 the pending eviction here?

9 Bereki: Okay. Are you -- are you willing to hear what's going
10 on?

11 Murillo: Um, I kinda have an idea, um, of what's going on.

12 Bereki: What do you know so far?

13 Murillo: Uh, you tell me.

14 Bereki: Oh, okay. Would you like to come in and sit down?

15 Murillo: Uh, I -- I'm just here to serve the documents. Um,
16 are you -- so you're aware of the pending eviction
17 here, correct?

18 Bereki: Yeah, and it's totally unlawful.

19 Murillo: Okay.

20 Bereki: That's what I need to -- I need to actually report
21 that a crime's being committed upon me.

22 Murillo: Okay

23 Bereki: I'm a former Huntington Beach cop.

24 Murillo: Uh-huh.

25 Bereki: So I have a -- a bit of awareness about criminal law.



1 Murillo: Okay.

2 Bereki: And I need to make that report to you that there's a
3 crime being committed as part of this process.

4 Murillo: Okay, so I would refer you to the Costa Mesa Police
5 Department, because this is their jurisdiction.

6 Bereki: Oh, okay.

7 Murillo: Um, as -- as far as the eviction goes, we just go off
8 of whatever the court documents say. Um, right? We
9 affect a court order, which is the writ that you have
10 in hand right there.

11 Bereki: Right.

12 Murillo: Um, if the writ says that, hey, I have to return this
13 property back to somebody else, then unfortunately
14 that's -- that's what I have to do. Um --

15 Bereki: Okay, so --

16 Murillo: -- it's called law enforcement, not law writing. I
17 didn't write the law, I just have to enforce what it
18 is.

19 Bereki: Right. But you actually have to enforce what the law
20 is, not unlawful orders.

21 Murillo: Mm-hmm.

22 Bereki: Right, so it's your duty, as a check and balance on
23 the entire system --

24 Murillo: Mm-hmm.

25 Bereki: To look into and make sure that whatever law that



1 you're enforcing is actually valid law, and that the
2 orders that are being made are made under law.
3 Otherwise you'll be enforcing an unlawful order,
4 right?

5 Murillo: Okay. I -- I don't agree with that, necessarily. Um,
6 like I said, like if there's a -- for example, if
7 there's a murder suspect and I think it's unlawful, it
8 doesn't matter. That person's still wanted for
9 murder, right? Um.

10 Bereki: Well, what -- what I -- but what -- that's a different
11 subject. If we're gonna compare apples to --

12 Murillo: We're talkin' about laws.

13 Bereki: Right. What we're saying is that I'm informing you
14 that I feel that there is a crime being committed, and
15 I have evidence to show you that.

16 Murillo: Yeah. I'm not an attorney. I don't -- and so --

17 Bereki: No, yeah, I know, but you're the law --

18 Murillo: I -- I don't interpret the law.

19 Bereki: I -- I'm not asking you to interpret the law.

20 Murillo: Okay.

21 Bereki: Actually -- and you -- actually, you -- you do have
22 part of that duty as a law enforcement officer.

23 Murillo: Okay.

24 Bereki: Because -- so either way, I'm reporting to you that
25 there is a crime being committed in the process of how



1 the home was sold and how this eviction process is
2 happening. And so, because I'm reporting that to you,
3 I feel, and I know that you have a duty to investigate
4 this. And so I -- I know that there are
5 jurisdictional issues, but you're here assuming
6 jurisdiction right now.

7 Murillo: Mm-hmm.

8 Bereki: So -- and you're actually the person that is serving
9 these orders on behalf of the court. So, hang on a
10 minute.

11 Murillo: And so there -- there was a judge that said that, hey,
12 this property needs to be returned back to somebody
13 else.

14 Bereki: Right, and I'm telling you --

15 Murillo: Who is an attorney and has a bar card, and has already
16 made that determination.

17 Bereki: I don't care. I don't care about whether they have a
18 bar card or attorney or not.

19 Murillo: Okay.

20 Bereki: You and I have common sense, and we can --

21 Murillo: So you do need to be out in the next five days. What
22 are your plans?

23 Bereki: Um, I haven't decided that yet.

24 Murillo: Okay.

25 Bereki: So -- so what I'm asking for you is I'm making a -- a



1 report of a crime to you. And I wanna know if you're
2 gonna investigate that crime, or you're --

3 Murillo: So what crime are you, uh, alleging that has occurred?

4 Bereki: Theft, actually robbery. It's -- it's the taking of
5 property by force and fear.

6 Murillo: Okay. Um, I don't think a 211 has occurred here. Um
7 --

8 Bereki: How would you know if you didn't investigate it?

9 Murillo: Because there's nobody else here.

10 Bereki: Uh, it's all being done by paper.

11 Murillo: That's not possible.

12 Bereki: It absolutely is.

13 Murillo: A 211's a crime against a person.

14 Bereki: Yeah, it's also a crime against their property. And
15 it occurs --

16 Murillo: Mm-hmm.

17 Bereki: -- by force. And if that force is being done on
18 paper, it's still force. It doesn't mean -- like
19 because they have filed --

20 Murillo: I don't think that's what the law -- how -- how the
21 law is interpreted.

22 Bereki: Well, go look it up. I have looked it up, and that's
23 what it means.

24 Murillo: Uh-huh, okay. Okay, um --

25 Bereki: So -- so here's the deal. The other thing is you



1 referred me to, uh, the Costa Mesa Police Department.

2 They're refusing to investigate this as well.

3 Murillo: Okay.

4 Bereki: I can let you hear the audio recording of that
5 conversation that I had with them.

6 Murillo: I -- I believe you.

7 Bereki: Okay.

8 Murillo: Yeah.

9 Bereki: Well, so -- so here's the point. I have no remedy,
10 either in the courts or with the police department,
11 who's supposed to be a check and balance on the
12 courts.

13 Murillo: Mm-hmm.

14 Bereki: So, what am I suppose to do?

15 Murillo: So, I think what it is, and I'm gonna be completely
16 honest with you --

17 Bereki: Yeah.

18 Murillo: -- is I think you're just not getting the answer that
19 you wanna hear, um, unfortunate- --

20 Bereki: Okay, how would you know that if you don't know what
21 the situation is? You don't -- you haven't heard what
22 the situation is, so you're making these
23 determinations.

24 Murillo: You just told me that you felt that the law -- that
25 was written, uh, unlawfully.



1 Bereki: Right.

2 Murillo: Or we were taking your property away from you
3 unlawfully.

4 Bereki: But I haven't given you the circumstances that lead to
5 -- so that you can determine that what I'm telling you
6 is actually the truth or not. You have to make that
7 independent determination.

8 Murillo: So that's not my job to interpret. That's -- that's
9 for the courts to interpret.

10 Bereki: No, no. It's actually yours if I'm making a crime
11 report to you.

12 Murillo: Where does it say in the law that I have to interpret
13 the law?

14 Bereki: Okay, you swore an oath of office to uphold the
15 Constitutions of California and the United States,
16 right?

17 Murillo: Uh-huh.

18 Bereki: And I'm alleging to you that there are public
19 officials that are violating those rights.

20 Murillo: Uh-huh.

21 Bereki: And so you have a mandatory nondiscretionary duty,
22 pursuant to Article 1, Section 26 of the California
23 Constitution --

24 Murillo: Mm-hmm.

25 Bereki: -- to protect my rights and property from unlawful



1 taking by government officials that are committing
2 crimes upon me.

3 Murillo: So would it -- would it make sense that maybe I would
4 be in violation of a court order if I chose not to
5 affect something that's already been --

6 Bereki: Um, no. I wouldn't. Because if you make an
7 independent determination, right. You're an
8 independent being.

9 Murillo: Yeah.

10 Bereki: Right? You have your own faculties.

11 Murillo: Uh-huh.

12 Bereki: You make a determination, and you say, "Look I have
13 this order that, um, a judge gave me," and I --
14 ordinarily I give respect to that.

15 Murillo: Mm-hmm.

16 Bereki: Right? Understandably. I'm with you on that.
17 However, in the course of this incidence, someone has
18 informed me that they believe that there are crimes
19 being committed upon them by this order, and that
20 usually is not what happens in my job. But now it has
21 happened.

22 Murillo: Mm-hmm.

23 Bereki: And so I need to look into whether that -- if what
24 that person is telling me is absolutely true or not.

25 Murillo: Mm-hmm.



1 Bereki: Before I commit a crime on that person by executing an
2 unlawful order by the court. See the court can't do
3 anything itself. It has to rely upon you to carry out
4 that order.

5 Murillo: And we rely on the court for facts and information.

6 Bereki: Right. But it -- the -- it is your duty --

7 Murillo: And so they --

8 Bereki: -- to independently verify that -- those facts and
9 that information before you use your office --

10 Murillo: Right, and you used --

11 Bereki: -- to commit a crime.

12 Murillo: And you used the term "civil." Or you used the term
13 "investigate." This is a civil matter. There's
14 nothing to in- -- investigate.

15 Bereki: But I'm reporting a crime to you. There absolutely is
16 something to investigate.

17 Murillo: Okay, then I would recommend that you consult an
18 attorney and have them fight for you in court.

19 Bereki: I -- I -- I -- I -- I'm telling you that that's the
20 problem.

21 Murillo: And have them try to overturn the matter.

22 Bereki: The problem is --

23 Murillo: 'Cause we only investigate crimes. We don't
24 investigate civil issues.

25 Bereki: But I'm invest- -- I'm reporting a crime to you, the



1 unlawful taking of my property by force.

2 Murillo: Okay. I'm not gonna debate what is a crime or what
3 isn't a crime with you. Um, I'm only here to inform
4 you, hey, you do need to be out by the date and time
5 listed on that paper. Um --

6 Bereki: Or what? Or what?

7 Murillo: Or we have to remove you from the property.

8 Bereki: So you're threatening me to use force upon me to
9 remove me?

10 Murillo: It -- it's not a threat. We're just tellin' you and
11 advising you, like hey, this is what's gonna happen if
12 you don't exit the property. We have to do this, sir.
13 I'm sorry it's an unfortunate circumstance. If you
14 need resources, I'm more than happy to help find you,
15 you know, some, uh -- or provide you with a resource
16 pamphlet. I just have to go back to my car and get
17 it. Um --

18 Bereki: No, I need -- what I need from you, as far as
19 resources --

20 Murillo: And I'm telling you I'm not -- I'm not gonna take a
21 report for that.

22 Bereki: O- -- o- -- okay, then get me someone who will.
23 That's a resource that I need.

24 Murillo: Th- -- I'm telling -- so it sounds like my supervisor
25 might've already spoken with you.



1 Bereki: Yeah.

2 Murillo: I'm speaking with you. Sounds like Costa Mesa spoke
3 with you.

4 Bereki: Yeah.

5 Murillo: Um, did you speak to the DA's Office?

6 Bereki: I did.

7 Murillo: And it sounds like nobody is going to take a report
8 for you.

9 Bereki: Correct.

10 Murillo: I'm not -- I'm not -- I'm not here to tell you I'm
11 gonna change my mind or to do it.

12 Bereki: Right.

13 Murillo: Just because, like I said, there's no crime. Um --

14 Bereki: How would you know if you haven't heard what the story
15 is?

16 Murillo: Because it's not a criminal matter. It's a civil
17 matter. It's not our duty to -- to, uh, enforce --

18 Bereki: Are you high? Bro --

19 Murillo: Sir, okay, I'm not gonna sit here and, uh --

20 Bereki: -- if I come and take your property with --

21 Murillo: I'm not gonna sit here and be offended by you. Um, is
22 there anything else I could help you with today?

23 Bereki: No. No.

24 Murillo: Okay.

25 Bereki: You can -- uh, are you refusing to get me -- to



1 provide an investing- --

2 Murillo: I am not going to take a crime report for you, sir.

3 Bereki: Okay, you're not gonna take a crime report. And

4 you're not gonna provide me with an executive official

5 who will investigate the allegations that I'm --

6 Murillo: No.

7 Bereki: -- that I'm -- I'm attempting to make?

8 Murillo: No, 'cause I've already told you the two issues that

9 we have.

10 Bereki: Okay.

11 Murillo: There's no crime, and, uh, this is not our

12 jurisdiction.

13 Bereki: How can you make a criminal determination that there's

14 been a crime --

15 Murillo: Who also lives here with you?

16 Bereki: It's none of your business.

17 Murillo: Okay. Is it just you two?

18 Bereki: It's none of your business.

19 Murillo: Okay. No worries, sir. Um, I'm gonna be goin' out.

20 Do you have any other questions for me?

21 Bereki: No. Have you been recording this conversation?

22 Murillo: Of course, sir.

23 Bereki: Okay, good. Um, I will get a copy of it. Can -- do

24 you have a business card?

25 Murillo: I do not, sir.



1 Bereki: Okay, what is your name?

2 Murillo: I'm Deputy Murillo, sir.

3 Bereki: What is your badge number?

4 Murillo: 10764. You have a good day sir, okay?

5 Bereki: Okay. Thank you.

6 Murillo: Take care, Adam.

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STATEMENT OF THE AUDIO FILE PROVIDED TO ME TITLED "DPTY MURILLO
SERVICE EVICTION".

DATED this 20th day of June, 2025.



Danen Murray

Ditto Transcripts
1355 S. Colorado Blvd.
Suite C515
Denver, CO 80222
Tel: 720-287-3710
Fax: 720-952-9897

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