

In-person conversation between Adam Bereki and Sergeant  
Salceda, Deputy Demaio

Recording Name:  
[E9 OCSD– COMPLAINT TO SGT. SALCEDA AND DEP.  
DEMAIO AT COURT 080620]

Transcript Prepared By:



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CAGE Code: 6C7D5  
Tax ID #: 27-2983097

1 Salceda: Yes, sir?

2 Bereki: Hi there. How are you?

3 Salceda: I'm good. How you doing?

4 Bereki: And what's your name?

5 Salceda: Salceda.

6 Bereki: Adam is my name.

7 Salceda: Hi. How you doing?

8 Bereki: So I called the sheriff's watch commander.

9 Salceda: Who'd you talk to?

10 Bereki: Uh, I wanna say his last was Henry (ph) but I know

11 that's not correct.

12 Salceda: Okay.

13 Bereki: So I called dispatch and they transferred me to the

14 watch commander. I talked to him. I said that I

15 wanted to make a crime report, and he said -- after I

16 explained to him what happened he said, "Well, if what

17 you're saying is a crime, that it occurred at the

18 courthouse, so I want you to go down there and talk to

19 the supervisor and tell him what happened, and either

20 a) he'll make a crime report, or take an information

21 report, or he won't do anything.

22 Salceda: Okay.

23 Bereki: But go down there and talk to him. So is that you

24 that I need to talk to?

25 Salceda: Sure.



1 Bereki: Okay. So I used to be a cop, so --  
2 Salceda: Okay.  
3 Bereki: -- I -- I -- don't worry about me. Uh, I was fined a  
4 million dollars, or close to it --  
5 Salceda: Holy cow. Okay.  
6 Bereki: -- by a judge here.  
7 Salceda: What judge?  
8 Bereki: Uh, Chafee (ph). He just retired.  
9 Salceda: Okay.  
10 Bereki: And there is no lawful authority for him to do it.  
11 Salceda: Okay.  
12 Bereki: So, uh, I did make an appeal --  
13 Salceda: Okay.  
14 Bereki: -- and I went to that court and those judges did the  
15 same thing.  
16 Salceda: Okay.  
17 Bereki: And they said there's no merit to my argument. Okay?  
18 After that --  
19 Salceda: What was -- what was the fine for, if you don't mind  
20 me asking?  
21 Bereki: For not having a construction license.  
22 Salceda: Okay.  
23 Bereki: Okay? Keep in mind that the fine for not having a  
24 driver's license in the car is about 250 bucks.  
25 Salceda: Right.



1 Bereki: And the criminal fine for not having a construction  
2 license is a maximum of \$5,000. So the civil penalty  
3 can't possibly be \$930,000. Okay?

4 Salceda: Okay.

5 Bereki: So, um, I made the appeal. Uh, they said the same  
6 thing, that they upheld Chafee's ruling. And so then,  
7 uh, the next option is to go to the California Supreme  
8 Court.

9 Salceda: Okay.

10 Bereki: I went there --

11 Salceda: Okay.

12 Bereki: -- and they said, "It's discretionary. We don't have  
13 to take your case." And they didn't take it.

14 Salceda: Right.

15 Bereki: So I went to the U.S. Supreme Court.

16 Salceda: Okay.

17 Bereki: It's discretionary there, too.

18 Salceda: Right.

19 Bereki: They didn't take my case.

20 Salceda: Okay.

21 Bereki: I continued researching the law. I have the evidence  
22 that it is a fine, and not what they said it was. And  
23 so literally in -- on June 22 the Supreme Court --  
24 U.S. Supreme Court came down with a decision that is  
25 just like my case --



1 Salceda: Okay.

2 Bereki: -- and they upheld, if you will, all of the same  
3 arguments that I made to Chafee in -- on appeal.

4 Salceda: Okay.

5 Bereki: Okay? So the legal premise of my argument is that if  
6 a judge does something without either statutory or  
7 constitutional authority --

8 Salceda: Mm-hmm.

9 Bereki: -- right, everything that you or I do as a police  
10 officer, we have to have authority in law for it --

11 Salceda: Right.

12 Bereki: -- right?

13 Salceda: Right.

14 Bereki: Okay. So if you act without lawful authority you're  
15 not doing something under the law, you're, uh, acting  
16 without authority.

17 Salceda: Right.

18 Bereki: Okay? So then if you were to do something like that  
19 you can be, uh, either sued civilly or arrested --

20 Salceda: Right.

21 Bereki: -- for committing a crime.

22 Salceda: Mm-hmm.

23 Bereki: Okay? So that's what I'm here to say is that Chafee  
24 had no authority, under either statutory or  
25 constitutional law, to fine me a million dollars, or



1 close to it, and so I have, um, since gone to the  
2 Commission on Judicial Performance --

3 Salceda: Mm-hmm.

4 Bereki: -- which would be the agency that would --

5 Salceda: Right.

6 Bereki: -- investigate judges.

7 Salceda: Mm-hmm.

8 Bereki: And they are only, from what I can tell, an  
9 administrative agency that does not have criminal law  
10 enforcement authority.

11 Salceda: Okay.

12 Bereki: I did submit a complaint to them and they said, "This  
13 sounds like legal error, and we've closed the  
14 complaint." I sent them a letter and I said, "Wait a  
15 minute."

16 Salceda: Legal error on whose part, your part?

17 Bereki: Chafee's.

18 Salceda: Okay.

19 Salceda: Do you have a lawyer, sir?

20 Bereki: I don't. And I don't need a lawyer because they're a  
21 part of this. The -- the state bar actually  
22 promulgated the, uh, uh, civil jury instructions of  
23 this issue. So the other thing that I -- I wanna  
24 share is that this is not just an issue confined to  
25 me, this is a criminal policy violation that the



1           entire State of California is involved in,  
2           perpetrating against people. And what happens is they  
3           come in here, someone makes a complaint that they, uh,  
4           were contracting without a license, the judges award  
5           these exorbitant fines, and then the next thing you  
6           know the people go to appeal, they get shut down, and  
7           then they say, "Wait a minute. You can't do this.  
8           You can't take my property without lawful authority."  
9           And so --

10 Salceda: So what was your first appeal based on?

11 Bereki: M- -- okay, so there's a -- a principle in law called  
12 disgorgement.

13 Salceda: Can I interrupt before you start?

14 Bereki: Sure.

15 Salceda: Do you have a case number?

16 Bereki: Uh, sure.

17 Salceda: Can you give it to me?

18 Bereki: Yeah, it's 30 --

19 Salceda: I'll open up (inaudible - 0:04:33).

20 Bereki: Yeah, I got it.

21 Salceda: I just left the desk.

22 Bereki: 30-2015-00805807.

23 Salceda: So 008 --

24 Bereki: 05 -- 08085807. I believe that's it. The case name  
25 is B-E-R -- yes, it might not have that dash there.



1 Salceda: Do you have a -- do you ha- -- (inaudible - 0:04:57) I  
2 got this one (inaudible - 0:04:58) --  
3 Bereki: Yeah, it might not have that.  
4 Salceda: -- do you have a, uh -- so this is a civil case?  
5 Bereki: It is a civil case.  
6 Salceda: Okay.  
7 Bereki: However, let -- let me -- let me share something with  
8 you about that.  
9 Salceda: All right.  
10 Bereki: Okay? So in criminal law, right, if you make an  
11 arrest of somebody that comes in here and -- and  
12 steals something --  
13 Salceda: Okay.  
14 Bereki: -- right? You make the crime report and you send it  
15 to your investigator. The investigator says, "Yeah,  
16 we got this guy in custody. He did it." They send  
17 over an in-custody to the DA's office --  
18 Salceda: Yeah.  
19 Bereki: -- and the DA does whatever they're gonna do.  
20 Salceda: You're right.  
21 Bereki: Okay. I can't go and prosecute that guys, correct?  
22 Right. It has to be prosecuted by the State of  
23 California.  
24 Salceda: Yes.  
25 Bereki: Okay, same instance here. If there's a violation of a





1 public regulatory law that is punitive, penal --

2 Salceda: Uh-huh.

3 Bereki: -- it has to be prosecuted by the State of California

4 on behalf of the people. It cannot be prosecuted by a

5 private party.

6 Salceda: Where was this case held? Is it Lamera (ph)?

7 Bereki: Here.

8 Salceda: Here? It was here?

9 Bereki: Here.

10 Salceda: In civil -- civil court here.

11 Bereki: Yes. Yes.

12 Salceda: Okay.

13 Bereki: So first off there is not authority to even --

14 Salceda: And what is your last name, sir?

15 Bereki: It's -- it's B-E-R-E-K-I. The case name is Bereki v.

16 Humphries, H-U-M-P-H-R-I-E-S.

17 Salceda: Okay.

18 Bereki: So -- so there is a, uh, uh, a principal in law, it's

19 called disgorgement, and it's based upon the law of,

20 uh, restitution. So, like, let me give you an

21 example. Let's say, um, a guy robs a bank, and you go

22 down there, you get the call, you go to the -- the

23 bank they say, "Yep 20 grand was taken from us." And,

24 uh --

25 Salceda: Just let me get that.



1 Bereki: Yeah, no problem. So, uh, you go down there, you take  
2 the crime report, the bank says, "Yeah, we lost 20  
3 grand." And so then you find the suspect, you arrest  
4 him, he goes to court and the judge says, "Well, we  
5 have evidence that you stole 20 grand. I'm gonna  
6 order you to make restitution to the bank of the  
7 \$20,000."

8 Salceda: Right.

9 Bereki: That, in law, is also called disgorgement. The would  
10 "disgorge" means "to give up." You have to give up  
11 what you were unjustly enriched. Okay?

12 Salceda: Okay.

13 Bereki: All right. So if the just orders the guy that stole  
14 the 20 grand to pay back 40 grand the 20 grand is part  
15 restitution and the 20 -- the other 20 is part  
16 penalty. Are you following me?

17 Salceda: Yes.

18 Bereki: Okay. So in the case of contracting without a license  
19 they're saying that the action that they took against  
20 me was for disgorgement. So in that claim you have to  
21 go to court, and the other side has to show how much I  
22 was unjustly enriched, meaning how much I profited by  
23 this action.

24 Salceda: Okay.

25 Bereki: That never happened. What happened was they put on



1 evidence that they paid me, uh, \$930,000 to build this  
2 custom house. I built the house. I gave them the  
3 house, okay? So then Chafee says, "Oh, they paid you  
4 \$930,000? Give them another \$930,000." I said, "Time  
5 out. You can only take my profit, and there's no  
6 evidence of that. If you take any more than my profit  
7 that's a fine." He denied my hearing. So then I  
8 filed another motion and I said, "What is your  
9 authority to do this?" He fined me, and I got no  
10 hearing. So that's when I went to the appeal. So, as  
11 I've continued to research all of this, this is when,  
12 uh, literally, on June 22nd, the Supreme Court of the  
13 United States came down with a ruling and they said,  
14 "Look, the courts have been abusing disgorgement and  
15 here's what disgorgement is and what you have to do."  
16 And it is the exact opposite of what Chafee did and  
17 the exact opposite of what the people in the appellate  
18 court did.

19 Salceda: Okay, so have you filed an appeal based on that?

20 Bereki: Ye- -- uh, no, you can't.

21 Salceda: Okay. Why not?

22 Bereki: Because you can't. You get one shot. That's it.  
23 It's over. And if the -- the higher courts don't  
24 wanna take your case you're fucked.

25 Salceda: Okay.



1 Berekhi: So now here's the issue. There's a -- a judgment,  
2 that's in my name, and it's attached to property that  
3 I am the trustee of. It's actually my mom's house  
4 that I gave to her. It's in my name, though. And --  
5 ow -- I can't pay it.

6 Salceda: Okay.

7 Berekhi: It's not a lawful judgment. And so they can foreclose  
8 on my property at any time and take the house and the  
9 only other resolution is to go to bankruptcy, and  
10 that's irreparable harm. Okay? So now, here I am,  
11 I've called the judicial counsel, I've made all the  
12 appeals. I've gone through all the civil processes to  
13 do everything. I called Santa Ana Police Department  
14 and I said, "Hey, this is your city. Crime happened  
15 in your city. Will you take a report?" "No, we're  
16 not doing anything." Today I called, uh, the, uh,  
17 sheriff's dispatch because you guys supervise this  
18 place. The, uh, uh, dispatch supervisor said call the  
19 DA's office, 'cause it's a public official. I called  
20 the DA's office, Finley (ph) is the guy that I spoke  
21 with. He's the DA supervisor. He said, "All we do is  
22 officer-involved shootings. We have no authority  
23 here." He said, "You need to call the sheriff's  
24 department, or the Santa Ana Police Department." So  
25 that's where I'm at. And I did, as I said, make the



1 complaint to the Counsel on Judicial Performance, or  
2 the Commission on Judicial Performance --

3 Salceda: Mm-hmm.

4 Bereki: -- but they do not have criminal law enforcement  
5 authority. So this is where I'm at.

6 Salceda: Okay.

7 Bereki: When I talked to your watch commander he said, "Look,  
8 you have to go down the -- to the court and talk to an  
9 officer." He said, "They may take an information  
10 report. They may take a crime report. But they're  
11 not gonna know until you actually tell them the  
12 information." So here I am, and I'll understand if  
13 you say you're not gonna do anything about it. But I  
14 think you do. So that's where I'm at.

15 Salceda: Have you consulted with an attorney?

16 Bereki: Yes.

17 Salceda: Based on this?

18 Bereki: Yes.

19 Salceda: Okay.

20 Bereki: That's why I'm here.

21 Demaio: What'd they say?

22 Bereki: Ugh, that's why I'm here.

23 Demaio: What'd they say?

24 Bereki: That's -- this is it.

25 Demaio: The attorney --



1 Bereki: "There's nothing we can do."  
2 Demaio: -- said to make a crime report?  
3 Bereki: No, "There's nothing you can do."  
4 Demaio: Oh.  
5 Bereki: That's what the attorney said.  
6 Demaio: Oh.  
7 Bereki: Yeah. So in my -- i- -- in my study, like I said, I  
8 was a law -- uh, uh, a cop for about ten years and I  
9 did major fraud and forgery as a detective, in Orange  
10 County. If you take property by means of force or  
11 fear without lawful authority that is robbery. It's  
12 theft.  
13 Salceda: It was a judgment.  
14 Bereki: Doesn't matter. If -- if --  
15 Demaio: A civil judgment on top of that.  
16 Salceda: Yeah, it was a civil judgment. That -- that's --  
17 that's the problem we have.  
18 Bereki: Take --  
19 Salceda: It's not like the --  
20 Bereki: -- take -- take --  
21 Salceda: -- judge walked up to you on the street and took your  
22 money by force or fear.  
23 Bereki: Correct. But let's say that --  
24 Salceda: You see what I'm saying?  
25 Bereki: -- let's say that you -- you -- you're driving your



1 patrol car and you say, "I don't like that guy. He's  
2 wearing a pink shirt. Come here, asshole." You, uh,  
3 arrest him, bring him to the jail, and -- and now,  
4 while you may have been in authority as a police  
5 officer, to do your duty, that's not your duty.  
6 There's no lawful authority for you to make up your  
7 own crime, commit an arrest, and take some -- violate  
8 somebody's constitutional rights. Your job is limited  
9 only to the scope within your authority, okay? So  
10 now, if with Chafee I had said, "Hey Judge, time out.  
11 There's a problem here. This is a fine." And so --  
12 so the -- the California Supreme Court has said, "When  
13 the court's gonna issue a fine you have to consider  
14 four criteria. First is you have to take into account  
15 the person's ability to pay. You have to take into  
16 account the amount of the fine versus the gravity of  
17 the offense." Okay, so what they do is they look at  
18 comparable situations and they say, "Okay, what --  
19 what's the fine for driving without a license?" Well,  
20 that's 250 bucks. So how do we get a million dollars  
21 here? What's the criminal fine for this violation.  
22 It's -- it's only 5,000. So how can we, in a civil  
23 case, award a million? You can't. So these are the  
24 criteria that the court has to follow. And if they're  
25 not following them they're not acting within



1 authority. They're just like a -- a person making an  
2 arbitrary decision, right? The judge has discretion  
3 but that discretion is only within the law. He can't  
4 make something up that he just feels, whatever, on the  
5 whim of -- pulls it out of his ass, he says, "This is  
6 what I think is gonna happen." That's -- that's what  
7 our system is is the -- the -- the orderly  
8 administration of justice within the Constitution and  
9 in the laws that have been created by the legislature  
10 and society. So I'm saying that if they're not gonna  
11 follow the law they're acting without authority and  
12 that's a crime.

13 Demaio: But what I hear you saying is that you don't, uh, like  
14 or agree with the judge's --

15 Salceda: The judgment.

16 Demaio: -- judgment.

17 Bereki: Incorrect.

18 Demaio: You don't like his decision, which, you know, I don't  
19 blame you, but that's --

20 Bereki: Okay, I --

21 Demaio: So now you've gone to all the channels that you  
22 possibly could have gone to, and they're not giving  
23 you avenues in which to apply.

24 Bereki: Um --

25 Demaio: And this one, again, is not another avenue.





1 Salceda: No, it's --  
2 Demaio: Because it's not a crime.  
3 Salceda: It's not. It -- it was a judgment. I -- I don't know  
4 --  
5 Bereki: Okay, so --  
6 Salceda: -- I -- I'm sorry you're going through this, but  
7 there's really -- it's not a crime. It -- there isn't  
8 -- it was a judgment --  
9 Demaio: You've been -- you've been --  
10 Salceda: -- in a courtroom.  
11 Demaio: -- handed a judgment, and --  
12 Bereki: So even i- -- if I'm understanding you correctly, even  
13 if the judge had no authority to make that judgment?  
14 Demaio: Well, but it sounds like he does because the attorney  
15 you consulted, if there was something that that judge  
16 did wrong --  
17 Bereki: Okay, but --  
18 Demaio: -- he'd have been on it.  
19 Salceda: Yeah.  
20 Bereki: No, let's -- let's leave that -- I -- I hear you --  
21 let's leave that out to the side, and just consider  
22 the possibility that what I'm sharing you, with you,  
23 is correct. Can we go there?  
24 Salceda: If a judge (inaudible - 0:14:39) --  
25 Demaio: Well, do you have the judgment with you?



1 Bereki: I don't, but I can go in there and get a copy of it.

2 Demaio: Because usually with a judgment they say -- they back  
3 it up with whatever --

4 Bereki: Okay, well there's no backup there. But just -- just  
5 consider, if we can, the hypothetical, just  
6 momentarily, that I'm correct, that he had no  
7 authority to do what he did.

8 Salceda: Mm-hmm.

9 Bereki: Then where are we? Because I can show that to you.

10 Demaio: It -- it's not with your local police department.

11 Salceda: It's not -- we -- we don't -- we don't handle that.

12 Demaio: It's over -- that's over our heads.

13 Bereki: Okay. So even if that were the case, assuming  
14 hypothetically that that were the case, you're saying  
15 that it's not a crime and that you guys will not  
16 investigate it --

17 Demaio: Not with a --

18 Bereki: -- just to be --

19 Demaio: -- local -- not with a local police.

20 Bereki: Okay. Is there an agency that you know of that would  
21 handle that?

22 Demaio: Uh, wouldn't it be the judicial, uh --

23 Bereki: Commission on Judicial --

24 Demaio: Yes.

25 Bereki: -- Performance?



1 Demaio: Yes.

2 Bereki: Yes, but they do not have criminal law enforcement  
3 capability.

4 Demaio: Okay, but this is a civil matter.

5 Bereki: It's not.

6 Salceda: It is. It's a civil matter.

7 Bereki: Okay, so --

8 Salceda: Your judgment was a civil matter.

9 Bereki: Okay.

10 Demaio: So there's some kind of finding that they should  
11 investigate -- they need to investigate what it was  
12 that he did and come back and tell you, "Yes, he had  
13 authority," or, "You know what? You're right. There  
14 is no authority."

15 Bereki: Okay, so then what? If there was no authority then  
16 what?

17 Demaio: That's up to the judicial commission.

18 Bereki: Okay. So I disagree with you guys. So, but I  
19 (inaudible - 0:16:08) --

20 Salceda: What did they come back with? 'Cause you did take it  
21 to them, right?

22 Bereki: Yes.

23 Salceda: Did you take it to them with the new --

24 Bereki: Yes. They said that, "You are making a complaint  
25 about legal error and we are not going to investigate



1           it."

2   Salceda:   Did you ask them --

3   Demaio:    Which is --

4   Salceda:   -- who will?

5   Bereki:    No because they don't talk to you on the phone.   You

6           can only send them a -- a letter.

7   Salceda:   Did you send them a letter (inaudible - 0:16:27)?

8   Bereki:    I did.   That's why I made the complaint.   So there is

9           no agency in California that will handle it.   And --

10           and the problem is that this is not just happening to

11           me.   As I said, it's happening to many people.

12   Salceda:   I (inaudible - 0:16:40).

13   Bereki:    And I know you don't ha- -- I'm not giving you any

14           evidence yet.   You're just taking my word for it, but

15           that's a problem.

16   Salceda:   Yeah.

17   Bereki:    So will you guys even take in information with you

18           (ph)?

19   Salceda:   For what?   No.   There's -- it's no crime.   You had a

20           judgment made against you (inaudible - 0:16:56).

21   Demaio:    An investigator is not going to investigate that.

22   Bereki:    Okay.   Okay.   Could I write down your guys' names?

23           Would that be okay with you?

24   Salceda:   Yeah.

25   Bereki:    Okay.   I just want to have record that I talked to



1                   you. I'm, um -- you're Sergeant Salce- -- and what's  
2                   your name, ma'am?

3 Demaio: Demaio, D-E-M-A --

4 Bereki: A-I-O --

5 Demaio: There you go.

6 Bereki: Okay. Thank you for your time.

7 Salceda: Yep.

8 Bereki: I appreciate it.

9 Salceda: Sorry.

10 Demaio: Good luck.

11 Bereki: It's okay.

12 Demaio: Good luck.

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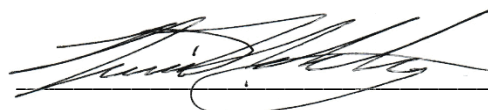
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## TRANSCRIBER'S CERTIFICATE

I, Brian T. Henderberg, do hereby certify that the foregoing transcript is a full, true, and correct statement of the audio file provided to me titled " E9 OCSD- COMPLAINT TO SGT. SALCEDA AND DEP. DEMAIO AT COURT 080620".

DATED this 23rd day of June, 2025.



Brian T. Henderberg

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DUNS Number: 037801851  
CAGE Code: 6C7D5  
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