

Exhibit 4

INFORMATION REPORT

ORIGINAL

Reporting Area: North Uninc

EVENT SUMMARY

Date Occurred: Wednesday, 9/2/2020 08:17

Date Reported: Wednesday, 9/2/2020 08:17

Incident Location: 550 N Flower St, Santa Ana CA 000000000

Naloxone Deployed? ☐

Use of Force ☐

Brief Description of Incident: INFORMATION REPORT

OTHER

Name: CHAFFEE, DAVID

Age:

Position/Title: JUDGE

Sex
M

Race

REPORTEE

Name: BEREKI, ADAM ALAN

DOB: 6/18/1979

Age: 41

Address: 818 Spirit , Costa Mesa CA 92626

Email: ABEREKI@GMAIL.COM

Cell Phone: (949)241-6693

Home Phone:

Other Phone:

Sex
M

Race

White

OTHER

Name: HUMPHREYS, GARY

Age:

Sex
M

Race

OTHER

Name: HUMPHREYS, KAREN

Age:

Sex
F

Race

PROPERTY/EVIDENCE

Related Offense: INFO REPORT

Property Description: PAPERWORK

NARRATIVE

On Wednesday, September 2, 2020, Deputy D. Foster #3340 and I were dispatched to Orange County Sheriff's Department Headquarters, located at 550 N. Flower Street in the City of Santa Ana, reference a report.

Upon arrival, we spoke to Adam Alan Bereki (06/18/1979). Adam told us the following: Adam is a former police officer with the Huntington Beach Police Department and was medically retired about 10 years ago. After retiring, Adam started a construction company, Spartan Associates. Adam obtained a contractor's license under Spartan Associates and not under his own name.

From April 2012 to August 2013, Spartan Associates was contracted by Gary and Karen Humphreys

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(NFD) to remodel a condominium in Newport Beach. In August of 2013, Gary and Karen terminated Spartan Associates. At that time, Gary and Karen had paid Spartan Associates \$848,000.00 and still had a pending balance of \$82,000.00 that they refused to pay Spartan Associates. Spartan Associates attempted to negotiate the price owed with Gary and Karen but they rejected all negotiations. In August of 2015, Spartan Associates filed a lawsuit [Case#2015-00805807] against Gary and Karen, for the time and materials owed, which amounted to \$82,000.00.

On February 16, 2016, Gary and Karen filed a motion for summary judgement. Gary and Karen initially asserted they entered an agreement with Spartan Associates for construction on their condominium. In early 2017, Gary and Karen filed a 1st amended cross complaint with new info. Gary and Karen amended that they contracted with Adam and not Spartan Associates.

On April 20, 2017, the court found that Adam did not have a contracting license in his name, therefore he violated B&P 7031(b). Judge David R. Chaffee ruled that Adam was to pay Gary and Karen \$848,000 in Disgorgement. Adam disagreed with the judgement based on the fact that Adam felt they had contracted with his company. Neither Adam nor Spartan Associates ever had a formal contract with Gary and Karen and all agreed to items were in an email chain which Adam did not provide. Adam provided me a statement with a list of checks written by Gary and Karen for all work completed. In this list there are 7 checks written to Adam and 10 checks written to Spartan Associates.

Due to the \$848,000.00 owed by Adam, a lien was placed on 818 Sprint, Costa Mesa, CA. 92626. Adam stated in November 2010, his mother Roseanne Bereki (09/25/1953) took over as legal owner of the residence and Adam's name is on the legal title. Adam also lost his business' contractors license.

On March 18, 2017, Adam filed a Writ of Error with the Orange County Superior Court and challenged the jurisdiction of the court. Shortly after, Adam received an email stating they denied the request to vacate judgement.

On June 6, 2017, Adam again went to the Orange County Superior Court and challenged the jurisdiction of the court. Shortly after the court responded and fined Adam approximately \$1,500.00. for abuse of discovery. Adam's motion was again denied.

On January 10, 2018, Adam filed an appeal with the Fourth Appellate District Court of Appeal. On October 31, 2018, Adam received the Appeal Court judgement, stating all arguments had no merit.

On October 28, 2019, Adam filed a complaint with the US Supreme Court. On February 27, 2020, the court denied Adam's case, due to the appeal being frivolous.

Adam believes that B&P 7031(b) is unconstitutional and the \$848,000.00 disgorgement was given to him as a fine and a fine can only be levied if he is charged with a crime. Adam cited MW Erectors, Inc. v. Niederhauser Ornamental & Metal Works Co., Inc., 36 Cal. 4th 412 and Rambeau v. Barker, 2010 Cal. App. Unpub. Lexis S610 to prove that the violation of B&P 7031(b) and subsequent penalties were imposed illegally and unjustly. Adam stated the fine levied under B&P 7031(b) is actually criminal forfeiture. Adam provided a definition of criminal forfeiture under US v. Seifuddin, 820 F.2d 1074, "If the statute under which the forfeiture alleged is penal, it will be treated as criminal

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forfeiture." Under People V. Cowan, 47 Cal. App. 5th 32, Adam believes his forfeiture was an excessive fine and his ability to pay was not taken into consideration. The courts rejected these claims stating his amount owed is Disgorgement and not a fine.

Adam also believes the amount was excessive because it did not take into consideration the amount of materials and work completed on the construction project. Adam asserted that his company completed \$848,000.00 worth of work therefore he should only have to pay back any profit he made on the project. Adam cited, US Supreme Court Case Liu V. SEC, 2020 Lexis 3374. This case states: "the profit-based measure of unjust enrichment reflects a foundational principle: It would be inequitable that a wrongdoer should make a profit out of his own wrong. At the same time courts recognize that the wrongdoer should not profit by his own wrong, they also recognized the countervailing equitable principle that the wrongdoer should not be punished by paying more than a fair compensation to the person wronged."

Adam stated his rights have been violated under Title 18, U.S.C., Section 242 –Deprivation of Rights under the Color of Law. Adam believes he has been given an excessive fine by the courts that is cruel and unusual punishment. Adam believes his 5th, 6th, 7th, 8th and 14th Amendment Rights have been violated. Adam believes that Judge Chaffee is in violation of CPC 211- Robbery and CPC 484g Theft by False Pretense, by imposing the \$848,000.00 fine. At the conclusion of the initial judgment, Adam has subsequently represented himself in every court with self-taught legal knowledge. Adam has met with attorneys regarding his case but does not have the funds necessary to retain them as council. Adam has exhausted all legal avenues in the courts to rectify his perceived constitutional violations.

Adam came to the Sheriff's Department as a last resort in an attempt to prove his Constitutional rights have been violated. As the Sheriff's Department is an agent of the Executive Branch of the State Government, Adam would like to use our agency as Checks and Balances with the Legislative and Judicial Branches of the State Government. Adam stated he would hold the Sheriff's Department responsible if we failed to adequately investigate his claims.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Reporting Officer	Milbery, B. 09838	<input type="checkbox"/>	9/6/2020
Assisting Officer	Foster, D. 03340	<input type="checkbox"/>	9/6/2020
Approving Officer	Castro, M. 05307	<input type="checkbox"/>	9/6/2020



ORANGE COUNTY SHERIFF'S DEPARTMENT

SHERIFF-CORONER DON BARNES

REQUEST AUTHORIZATION FORM RELEASE OF CASE INFORMATION

NAME ADAM BEREKI DATE 11/25/2020
ADDRESS _____ CASE # 20-029161
CITY _____ STATE CA ZIP _____

CONTACT PHONE _____
YOUR INVOLVEMENT supplemental
(ex: victim, witness, suspect, attorney for, insurance for)
REQUESTOR'S SIGNATURE See attachment

BELOW SECTION TO BE COMPLETED BY ORANGE COUNTY SHERIFF PERSONNEL

RECORDS SIGNATURE reynarg

FEES 0.00 CHECK # _____ RECEIPT # _____

REQUEST ☒ Approved ☐ Approved / Redacted ☐ Denied

Document(s) released:

- | | |
|--|---|
| <input type="checkbox"/> Initial Crime Report | <input type="checkbox"/> Fees returned <u>0.00</u> |
| <input type="checkbox"/> Initial Crime Rpt Supplemental | <input type="checkbox"/> Released pursuant to Family Code Section 6228 |
| <input type="checkbox"/> Deputy Follow Up | <input type="checkbox"/> Released pursuant to Welfare and Institutions Code section 827 and Juvenile Court Administrative Order No. 12/003-903 "Exchange of Information". |
| <input type="checkbox"/> Initial Follow Up | <input type="checkbox"/> Released pursuant to Vehicle Code section 20012 |
| <input type="checkbox"/> Traffic Accident | <input type="checkbox"/> Released pursuant to Court Authorization and Penal Code Section 1203.097(a)(7)(B) |
| <input type="checkbox"/> CHP180 | |
| <input type="checkbox"/> TC Property Damage | |
| <input type="checkbox"/> Property Report | |
| <input type="checkbox"/> Casualty Report | |
| <input type="checkbox"/> Supplemental DV Report | |
| <input type="checkbox"/> CAD Report <input type="checkbox"/> ID Theft | |
| <input checked="" type="checkbox"/> Other <u>Information Report; Two (2) Sup</u> | |

Authorized Signature Jeffrey Deutsch

Mailed ☐ Pick Up ☐ Date 12/01/2020 By jd

Emailed ☒ 320 N. FLOWER STREET, SANTA ANA, CA 92703

Integrity without compromise | Service above self | Professionalism in the performance of duty | Vigilance in safeguarding our community

SUPPLEMENT

ORIGINAL

Reporting Area: North Investigations

NARRATIVE

Phone Call from Adam Bereki, 09/15/2020:

On Tuesday, 09/15/2020, at approximately 1105 hours, I received a telephone call from a male subject verbally identifying himself as Adam Bereki wanting to check on the status of his report and to provide additional details. I recorded the conversation on my department issued digital audio recorder and later placed a copy of the audio recording onto a compact disc which I booked into Sheriff's Evidence in Santa Ana, Sheriff's Evidence Item# OS20-029161.3. I referred to the digital audio recording when preparing the following summary of my phone conversation with Mr. Bereki:

Bereki was advised I had been assigned this case and wanted to know if I was familiar with it. I summarized for Bereki that he was alleging several of his Constitutional Rights had been violated by a judicial officer and that there were additional criminal allegations against the same Judiciary based on judgements occurring in Civil Court. Bereki emphasised that in addition to the specific judicial officer he feels violated his constitutional rights, the "Whole State" of California's "Judicial Branch" has perpetuated a "Policy" in violation of persons constitutional rights. Bereki further stated that this policy, enacted into law by the California Legislature and "Upheld" by the Judicial Branch is supporting an unconstitutional "Policy" or law and one of the only remedies is for the Executive Branch of the government to perform its "Duty to enforce the law". Bereki has reached out to the following:

- California Commission on Judicial Performance
 - Bereki "Filed a complaint" which was returned to him stating he was "Complaining about legal errors by the judge". Bereki told me that in addition to the legal errors, he was also filing the complaint to address his "Deprivation of Rights".
- Federal Bureau of Investigation
 - Bereki has contacted the FBI three times within the last two to three months; however, the first time he called the "Crime Tip Line" and was told "We don't investigate that" and the second time he was told a "Complaint" was taken but no case number was provided to Bereki and the person taking the "Complaint" did not provide their name to Bereki. Bereki called the FBI again approximately two to three weeks after the second call to inquire about the status of his complaint, obtain the case number, and obtain the Agents name and he said, "They refused to give me all of those". Bereki believes he contacted the FBI office in Orange the second time.
 - Bereki served a Public Records Act Request on the FBI to try to obtain a copy of his phone call and was told they did not have a copy of the call.
- California State Assemblywoman Cottie Petrie-Norris
- California State Senator John Moorlach
- California Attorney General's Office
 - Approximately one week ago, Bereki emailed the California Attorney General's Office Public Information Unit. Bereki'sl requested information about how to file a complaint regarding a deprivation of rights complaint regarding a public official and has not yet received a response.

Bereki also wanted to clarify the following information from the initial report taken by deputies on 09/02/2020:

- Where the Initial Information Report reads, "Adam filed a complaint with the US Supreme Court". Bereki clarified that he went to the Federal District Court for The Central District Court of California to attempt to have the Federal District Court "Vacate" the "Void Judgement" from the California Court.
 - Bereki stated the Federal District Court Judge "Dismissed" his case, advising Bereki that the

SUPPLEMENT

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Federal Court did not have the authority to "Hear and determine the case".

When Bereki attempted to file an Appeal, the same Federal District Court Judge advised the Federal Appeals Court that Bereki's Appeal was "Of bad faith and frivolous".

- In Response to this, In March of 2020, Bereki filed a "Statement" regarding why the Appeal should move forward and he has not yet heard a response.
- Bereki also wanted to note that in the Initial Report's closing sentence where it states "...he would hold the Sheriff's Department responsible if we failed to adequately investigate his claims", that in addition to the Sheriff's Department's "Duty to investigate" it is also the Sheriff's Department's duty to "Protect" him and "Intervene" when his "Rights and property are being violated and unlawfully taken".

I advised Bereki that his initial report was being reviewed and I would be working on attempting to identify the appropriate Executive Branch agency to investigate the matter or defer the matter back for further review through the Judicial Branch in the appeal process.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	Anderson, M. 07279	<input type="checkbox"/>	9/15/2020
Approving Officer	Weidenkeller, E. 04050	<input type="checkbox"/>	9/23/2020

SUPPLEMENT**ORIGINAL**

Reporting Area: North Investigations

NARRATIVE

On Wednesday, November 25, 2020, at approximately 1240 hours, I received a phone call from Sgt. S. Millhollon that he had inadvertently been forwarded a call reference this case from Bereki. Sgt. Millhollon gave me the number Bereki called him from (949-241-6693) and asked that I call him back.

At approximately 1300 hours, I contacted Bereki and asked him how I could help. He told me he was looking for a status update on his case. I advised him that the case had been reviewed by the California Department of Justice and that both they and the Orange County District Attorney's Office would not prosecute the case, or investigate it any further. I provided him with my full name and pin number and we ended the call.

At approximately 1305 hours, Bereki called my office line back, and asked if the Orange County Sheriff's Department was refusing to protect him from, "Lawless actions by government officials acting without authority." I advised him that our investigation into his allegations had ended. Bereki thanked me for my time and the conversation ended.

Both phone calls were recorded. The recordings were placed onto a compact disc and booked into Sheriff's Evidence under this case number.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	Leeb, M. 08787	<input type="checkbox"/>	11/25/2020
Approving Officer	Weidenkeller, E. 04050	<input type="checkbox"/>	11/26/2020



20-029161

Adam <abereki@gmail.com>
To: mleebe@ocsd.org

Mon, Dec 14, 2020 at 4:06 PM

Hi Mike,

I called and left a message for you last week to speak about your findings pertaining to the complaint I filed that you closed and have not received a return call. I am interested in knowing the factual findings and legal basis associated with your determination to close my case. These findings don't appear to be documented in your report and reasonably should be given each of the issues I raised.

My phone number is 949 241 6693.

Thank you for your help.

Sincerely,

Adam Bereki

**Bereki Dr 20-029161**

Adam <abereki@gmail.com>

Thu, Dec 17, 2020 at 12:59 PM

To: eweidenkeller@ocsd.org, mleebe@ocsd.org, "Knutson, Gary L" <gknutson@ocsd.org>, jhallock@ocsd.org

Lt. Knutson,

Pursuant to a recent public records act request on your agency, I received a copy of the information report I filed as well as the supplemental investigation reports by Sgt. Andersen and Inv. Leeb pertaining to my allegations of fraud and deprivation of constitutional rights by judges and other public officials that I recently spoke with you and Commander Hallock about.

After receiving the supplemental reports made by Inv. Leeb, I called and left a message to speak with him on 12/2/20. He has not returned my call. On 12/14/20, I also sent him an email and have not received a reply.

The essence of Inv. Leeb's findings in his supplemental report dated 11/4/20 states: "given that there is no criminal activity able to be discovered from what has been reported, this case will be closed pending any additional information." The report was approved by whom I suspect is Leeb's supervisor, E.Weidenkeller.

My phone message and email specifically asked Inv. Leeb to share the factual findings and legal basis of his conclusions that "there [was] no criminal activity able to be discovered." This information should very reasonably be part of his investigation report but is nowhere to be found. Inv. Leeb needs to explain exactly how he resolved each issue presented in my complaint. This includes but is not limited to how he determined there was constitutional authority for the judge/State of California to fine me \$930,000 without any of the heightened protections of the excessive fine clause and in direct violation of the separation of powers declared in Article V of the California Constitution. A person, whether a civilian or public official who takes property without Constitutionally prescribed due process commits theft and/or fraud and potentially robbery if done under the full force of the State as in this case.

The fact that Inv. Leeb contacted the OCDA and CA DOJ who allegedly were not interested in prosecuting the case does not absolve him or the OCSD of their duty to fully and impartially investigate my valid claims and take remedial action including action to protect my liberty and property from unlawful taking.

If the OCSD or Inv. Leeb do not understand the law surrounding the claims I have made, I remain totally willing and available to help. I provided a significant amount of case law to the reporting officer who told me it would be booked into evidence so it could be reviewed by the investigator. Despite this, there no indication in Inv. Leeb's reports that he read any of the cases or how he determined them to be incorrect or not relevant in relation to my claims. This is also information that should reasonably be included in his investigation report.

While I cannot be sure, it feels to me like Leeb spoke with County Counsel and perhaps the other aforementioned agencies and concluded, with little to no research of the actual law pertaining to the issues in my complaint, that what the judge/Court did was lawful based on the Opinion of the appellate Court that was also involved and then subsequently closed the case. This is not acceptable. How under any rational basis could a \$930,000 fine for a simple licensing law violation could be lawful without any of the Constitutional protections of the excessive fines clause that specifically prohibit this behavior?


In another public records act request to your agency, I received copies of police academy training manuals from POST known as Learning Domains ("LD"). LD2 specifically reviews Constitutionally protected rights and Law Enforcement's duties to enforce the law and protect the public against the arbitrary deprivation thereof by government. I have enclosed it for reference. On page 1-5 it says "To be effective leaders, peace officers must be aware of the constitutional rights of all individuals [...] and the role the criminal justice system has in protecting those rights."

Investigator Leeb has clearly not performed an adequate and full investigation before arbitrarily closing my case and told me the OCSD is not going to protect me or my property in this situation. Please inform me if this is in fact the official position of the OCSD or order Inv. Leeb to fully perform his sworn duties.

Please feel free to contact me with any questions.

Sincerely,

Adam Bereki
949.241.6693

 LD_02_V-6.4.pdf
441K



Bereki Dr 20-029161

Knutson, Gary L <gknutson@ocsd.org>
To: Adam <abereki@gmail.com>

Fri, Dec 18, 2020 at 9:00 AM

Adam,

Thank you for contacting me with this matter. I will look into it and get back to you.

Lieutenant Gary Knutson

Orange County Sheriff's Department
North Patrol Bureau Commander
Chief of Villa Park Police Services

Ofc. (714) 647-4094

From: Adam <abereki@gmail.com>
Sent: Friday, December 18, 2020 8:55 AM
To: Weidenkeller, Ehren J <eweidenkeller@ocsd.org>; Leeb, Michael C <MLEEB@ocsd.org>; Knutson, Gary L <gknutson@ocsd.org>; Hallock, Jeffrey A <JHallock@ocsd.org>; Rcauoette@ocsd.org
Subject: [EXTERNAL] Fwd: Bereki Dr 20-029161

Correction, after reviewing my records, I spoke with Commander Caouette not Assist. Sheriff* Hallock before speaking with you, Lt. Knutson. I have therefore included him in this communication.

Attention: This email originated from an external source. Use caution when opening attachments or clicking on links.