

Exhibit 5

INCIDENTAL

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PROPERTY

INCIDENT/INVESTIGATION REPORT

Newport Beach Police Department

Case # 21008880

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown					
	IBR	Status	Quantity	Type Measure	Suspected Type
D R U G S					
Assisting Officers					

Suspect Hate / Bias Motivated:

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 21008880

Newport Beach Police Department

<p>NARRATIVE</p> <p>The listed Involved Other party contacted NBPD Detectives to report suspicious circumstances.</p>
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REPORTING OFFICER NARRATIVE

Newport Beach Police Department

Victim	Offense	OCA 21008880
	SUSPICIOUS CIRCUMSTANCES	Date / Time Reported Tue 12/07/2021 10:35

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Alcohol Related: No Involved Location: N/A
Reportable Use of Force: No
Hate Crime Related: No Weapon Involved: N/A
Victims' Bill of Rights Provided to Victim(s): No
Victim Advised of Confidentiality Provisions Per 293 PC: No
Victim Desires Confidentiality: N/A

On 10-28-2021, I was working as a detective sergeant, assigned to the Property Crimes Unit-West of the Newport Beach Police Department. I received a voice message from a subject who identified himself as Adam Bereki. In the message, Bereki stated he was dealing with "some very peculiar circumstances," and that he needed some help with "crimes being perpetrated by judges."

I contacted Bereki, a Costa Mesa resident, by telephone. Over the course of the following four weeks, I had several separate telephone conversations with Bereki, some lasting over an hour in length, where he described his situation. In summary, Bereki had a civil judgment against him in 2017 for \$848,000.00 after a court (Orange County Superior Court in Santa Ana) determined he operated as a contractor without a license during a residential remodel project in Newport Beach. In 2018, Bereki appealed the decision to the California Court of Appeals, Fourth Appellate District, Division 3 in Santa Ana. The appellate court affirmed the lower court's decision.

Bereki insisted I investigate this case as a criminal matter, stating as a police officer, I was bound by the Constitution of the United States and the Constitution of the State of California to investigate the violation of his constitutional rights; in this case a violation of the 8th Amendment prohibiting excessive fines. Bereki also stated the crimes of fraud, theft, forgery, and robbery were committed by the judges involved in this decision, based on his interpretation of the judicial process and subsequent case law, as well as his belief the involved judges have been misinterpreting the law for years leading up to his case.

On 12-7-2021, I contacted Orange County Deputy District Attorneys Bill Feccia and Clyde Von Der Ahe to discuss this case. Both DAs were in agreement that criminal courts have no jurisdiction to intervene in sustained civil judgments. They also stated that the Constitution protects people against the deprivation of life, liberty, or property in circumstances when they were not afforded the benefit of due process of law. DDA Feccia advised me to recommend Bereki either file a motion for re-hearing of his case through the appellate court, or petition the Supreme Court of the United States to hear his case.

I relayed this information to Bereki, who adamantly disagreed. Bereki asked if he was permitted to contribute a written statement to this case. I told him he was free to do so. Bereki reminded me that he has contacted numerous different law enforcement agencies and spoken to numerous different police officers about this case, all of whom have refused to assist him. Bereki said a potential next step for him would be to sue all the departments and officers who did not investigate this case further, including me and the Newport Beach Police Department.

This case shall be categorized as a Suspicious Circumstance due to the lack of probable cause to indicate a violation of the California Penal Code has occurred. A printout of the decision from Bereki's appellate case was scanned into this file, along with the emails and attachments sent to me by Bereki.



PDF Version of Brief in Support of Law

Harp, Aaron <aharp@newportbeachca.gov>

Fri, Dec 10, 2021 at 12:07 PM

To: Adam <abereki@gmail.com>

Cc: "Carpentieri, Peter" <pcarpentieri@nbpd.org>, "Joe, Darrin" <DJoe@nbpd.org>

Good afternoon Mr. Bereki,

Our office has reviewed this matter and it is our opinion that the Police Department has acted appropriately regarding your complaint. In our view, this is civil dispute that is properly handled by the judiciary and not by the Police Department. Hence, the City of Newport Beach will be taking no action related to this matter.

We appreciate your reaching out to the City of Newport Beach and we sincerely hope that you can resolve this dispute.

Aaron C. Harp

City Attorney

City of Newport Beach

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