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When Recorded Mail to:  
Scott H. Russell  
1222 Sierra West Ln #B  
Chico, CA 95928

NORTH BUTTE COUNTY MUNICIPAL COURT

The People of The State of California,  
  
Plaintiff,  
  
vs.  
  
Scott Hisao Russell  
  
Defendant

Case No.: NCR 76211  
  
Demand for Bill of Particulars<sup>1</sup>

TO THE PROSECUTOR IN THE ABOVE-ENTITLED CASE

Comes now the accused, pursuant to the limitations imposed upon plaintiff and this tribunal by article 1 sec. 8 of the constitution for the state of California 1849, with authority and unalienable right to know the due process of law, the nature and cause to the instant accusations, in the above captioned statutory cause, to demand that plaintiff provide to the accused a BILL OF PARTICULARS to make more definite and certain the accusatory instrument of plaintiff in the following respects, to wit: the venue in which the process of plaintiff was issued and served and the jurisdiction of this tribunal invoked over the accused by the accusatory instrument and process of plaintiff in the following particulars:

- 1) What allegation(s) or fact(s) does plaintiff depends, to establish the status of the accused within purview of the statute alleged by plaintiff to have been violated by the accused.
- 2) What allegation(s) does plaintiff depend upon to establish the accused is within the venue of the process purported to be properly served upon the accused.

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- 1 3) What allegation(s) or fact(s) does plaintiff depend upon to establish the personal  
2 jurisdiction of the above captioned tribunal over defendant and to establish that  
3 such personal jurisdictions was regularly and lawfully obtained/  
4
- 5 4) Is 25662 B&P MIP, under authority of which plaintiff purports to bring statutory  
6 accusation against the accused, enacted by the Legislature of the state of  
7 California, under the authority of the Common-Law Jurisdiction, in a venue  
8 consistent therewith, as authorized by the Constitution for the state of California  
9 (1849)? Yes or No?  
10
- 11 5) Is 25662 B&P MIP, under authority of which plaintiff purports to bring statutory  
12 accusation against the accused, enacted by the Legislature of the state of  
13 California, under the authority of the Corporate Jurisdiction, in a venue consistent  
14 therewith, as authorized by the Constitution for the state of California (1849)? Yes  
15 or No?  
16
- 17 6) Is 25662 B&P MIP, under authority of which plaintiff purports to bring statutory  
18 accusation against the accused, enacted by the Legislature of the state of  
19 California, under the authority of the Maritime/Admiralty Jurisdiction, in a venue  
20 consistent therewith, as authorized by the Constitution for the state of California  
21 (1849)? Yes \_\_\_\_\_ or No \_\_\_\_\_?  
22
- 23 7) Is 25662 B&P MIP, under authority of which plaintiff purports to bring statutory  
24 accusation against the accused, enacted by the Legislature of the state of  
25 California, under the authority of the Martial Law Jurisdiction, in a venue consistent  
26 therewith, as authorized by the Constitution for the state of California (1849)? Yes  
27 \_\_\_\_\_ or No \_\_\_\_\_?  
28

- 1 8) Does Plaintiff invoke a Common-Law Jurisdiction in the statutory cause in the above  
2 captioned tribunal? Yes or No?
- 3 9) Did plaintiff issue and serve process in a Common-Law venue to compel the  
4 appearance of the accused in the above caption tribunal and cause consistent  
5 therewith? Yes or No?
- 6 10) Does plaintiff invoke a corporate Jurisdiction in the instant statutory cause in the  
7 above captioned tribunal? Yes or No?
- 8 11) Did plaintiff issue and serve process in a corporate venue to compel the  
9 appearance of the accused in the above captioned tribunal and cause consistent  
10 therewith? Yes or No?
- 11 12) Does plaintiff invoke a Maritime/Admiralty Jurisdiction in the instant statutory cause  
12 in the above captioned tribunal? Yes or No?
- 13 13) Did Plaintiff issue and serve process in a Maritime/Admiralty venue to compel the  
14 appearance of the accused in the above captioned tribunal and cause consistent  
15 therewith? Yes or No?
- 16 14) Does plaintiff invoke a Martial-Law Jurisdiction in the instant statutory cause in the  
17 above captioned tribunal? Yes or No?
- 18 15) Did Plaintiff issue and serve process in a Martial-Law venue to compel the  
19 appearance of the accused in the above captioned tribunal and cause consistent  
20 therewith? Yes or No?
- 21 16) Does plaintiff allege that the "person," as defined in and for the statute(s) 25662  
22 B&P MIP,, violation of which said statute(s) is alleged by the accusatory instrument  
23 of plaintiff, and *Artificial person*? Yes or No?  
24  
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1 17) Does Plaintiff allege that the "person, " as defined in and for the statute(s) is alleged  
2 by the accusatory instrument of plaintiff, and *Natural Person*?

3 18) Failure of plaintiff to timely provide the accused the BILL of PARTICULARS herein  
4 demanded by accused, to make more definite and certain the accusatory  
5 instrument and accusations of plaintiff in the aforesaid respects for clarification of  
6 the venue and Jurisdiction of the statute(s) depend upon by plaintiff and the venue  
7 and jurisdiction invoked by plaintiff in the above captioned tribunal, will be  
8 considered and attempt by plaintiff to withhold full disclosure of the nature and  
9 cause of the accusations brought by plaintiff and will make it impossible for  
10 defendant to meaningfully respond to or defend against the accusations and  
11 process made and issued or caused to be issued by plaintiff.

12 In addition to the above listed information, defendant is requesting disclosure and  
13 production of the following materials and information:

14 19) The names and addresses of persons the prosecutor intends to call as witnesses at  
15 trial.

16 20) All statements of the defendants herein.

17 21) All relevant real evidence seized or obtained as part of the investigation of the  
18 offense(s) charged.

19 22) The existence of a felony conviction of any material witness whose credibility is  
20 likely to be critical to the outcome of the trial.

21 23) Any exculpatory evidence.

22 24) Relevant written or recorded statements of witnesses or reports of the statements of  
23 witnesses whom the prosecutor intends to call at trial, including any reports of the  
24

1 statements of experts made in conjunction with this case, including the results of  
2 physical or mental examinations, scientific tests, experiments, or comparisons  
3 which the prosecutor intends to offer in evidence at trial.  
4

5 25) All statements made by the defendant regarding this case, whether oral, written,  
6 videotaped, or tape-recorded, and any transcriptions of such oral, videotaped, or  
7 tape-recorded statements.

8 26) All statements made, shown, read, or played to the defendant during any  
9 conversation regarding this case in which the defendant participated or was  
10 present.  
11

12 27) Any photographs taken or sketches made of the defendant, if any, or any portion of  
13 the defendant's body which were shown, or will be shown, to any potential  
14 witness in this case.  
15

16 28) Dates, times, and locations of any physical examination or viewing of any portion of  
17 the defendant's body pursuant to the investigation of the alleged crimes.

18 29) Any substance taken from the defendant's person, if any, including, but not limited  
19 to, specimens of hair, blood tissue, breath or urine.  
20

21 30) Any samples of personal characteristics, including, but not limited to, fingerprints,  
22 voiceprints, and handwriting samples, if any, which were obtained by law  
23 enforcement for use in establishing the identity of the perpetrator of the offenses  
24 charged by the People in this case.  
25

26 31) Any items of clothing and personal effects worn by the defendant at the time of the  
27 alleged crime or at the time of his arrest or otherwise seized, if any, by law  
28 enforcement pursuant to the investigation of the alleged crimes.

- 1 32) Any books, papers, documents, photographs or tangible objects which the People  
2 intend to use in the trial or which were obtained from or belong to the defendant.  
3
- 4 33) The defendant's arrest and conviction record (i.e., "rap sheet"), if any. Also any and  
5 all records attached to the defendant in the North Butte County Municipal Court  
6 as viewed by the Judge, in the courts computer at time of trial.
- 7 34) All police, arrest, and crime reports prepared by the People or their agents in  
8 relation to the investigation and prosecution of this case.
- 9 35) The names and addresses of all witness to the alleged crime, whether or not the  
10 prosecution intends to call them at the trial.
- 11
- 12 36) All statements in the form of affidavits sworn to under oath, regarding this case,  
13 whether written or oral, made by potential witnesses in this case, whether or not  
14 the prosecution intends to call them at trial. The contents of any such oral  
15 statements must be disclosed only to the extent that they are not presently  
16 contained in police reports given to the defendant or in the preliminary  
17 examination transcripts, but the People must disclose all additions to, deletions  
18 from, and denials, explanations, and clarifications of such statements contained  
19 in the police reports and preliminary examination transcripts.  
20
- 21
- 22 37) Names, Badge Numbers and Certified oaths of office, for each officer involved with  
23 this complaint.
- 24 38) Certified copies of the callout log taken by Chico Police Department and any further  
25 recordings of calls that relate to this incident.  
26  
27  
28



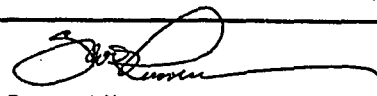
- 1 39) All notes, if any, made by police officers regarding their conversations, interviews  
2 with witnesses in the present case and any written reports based on those  
3 conversations and interviews.  
4
- 5 40) All police officers' notes of their activities, observations, and investigation of this  
6 case.  
7
- 8 41) All notes, if any, made by prospective witnesses relating to matters covered in their  
9 testimony at trial.  
10
- 11 42) All photographs and/or diagrams of the scene of the crime prepared by the People.  
12
- 13 43) All results of scientific analysis performed by the People or their experts or at the  
14 request of the People or their agents, upon any physical evidence in this case,  
15 whether or not the prosecution intends to introduce these into evidence.  
16
- 17 44) Latent fingerprints lifted in the investigation of this case and photographs of such  
18 latent fingerprints, if any.  
19
- 20 45) The known exemplars of fingerprints if any used for comparison with latent  
21 fingerprints lifted during the investigation of the alleged offense.  
22
- 23 46) Names and addresses of all persons detained or arrested as suspects in the  
24 investigation of this case.  
25
- 26 47) The statements of all persons interviewed as potential suspects in this case.  
27
- 28 48) All photographs taken by the People or law enforcement agencies in this case of the  
alleged victims or otherwise relating to the investigation of this case.
- 49) All tangible evidence, which relates to this case, whether or not the prosecution  
intends to introduce the evidence at trial.
- 50) All exhibits the People intend to present at the trial.

- 1 51) Any relevant material or information which has been provided by an informant.
- 2 52) Any electronic surveillance (including wiretapping), if any, or conversations to which
- 3 the accused was a party or of his premises.
- 4
- 5 53) Any information favorable to the defense in that it tends to exonerate the defendant,
- 6 minimize his probable sentence or constitutes information that the defense might
- 7 use to impeach or contradict prosecution witnesses.
- 8
- 9 54) All requests, whether in writing or oral, for analysis of physical evidence submitted
- 10 as part of the investigation of this case, regardless of the results of such
- 11 analyses.
- 12 55) All names, addresses, and reports of all expert witnesses consulted by the People,
- 13 if any, in preparation for trial or during trial.
- 14
- 15 56) All prior felony or misdemeanor or infractions convictions of witnesses whether or
- 16 not resulting in a state prison commitment which the People intend to introduce in
- 17 their case in chief or for purposes of impeachment; whether any prospective
- 18 witness is on probation or parole or has any pending charges at the time of trial;
- 19 whether any prospective witness was on probation or parole or had any pending
- 20 charges since the date of the alleged offense.
- 21
- 22 57) Investigation reports, whether written or oral, by City Attorney and or District
- 23 Attorney investigators.
- 24 58) The names and addresses of all persons who were present when interviews were
- 25 conducted relating to this prosecution and any of the questions or answers which
- 26 were not written or recorded.
- 27
- 28

Dated: 9-4-97



1 Respectfully submitted,

2 

3 Scott Hisao Russell

4 Receipt acknowledged by:

5 \_\_\_\_\_  
6  
7 Date: \_\_\_\_\_  
8

9 1 BILL OF PARTICULARS, practice. A detailed informal statement of a plaintiff is cause  
10 of action, or of the defendant(s) set-off.

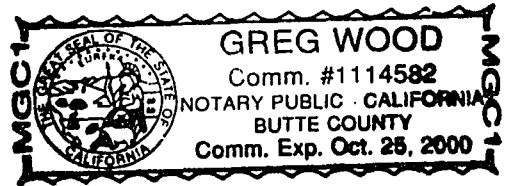
11 2. In all actions in which the plaintiff declares generally, without specifying his cause  
12 of action, a judge upon application will order him to give the defendant a bill of the  
13 particulars, and in the meantime stay, proceedings. 3 John. R. 248. And when the  
14 defendant gives notice or pleads a set-off, he will be required to give a bill of the  
15 particulars of his set-off, on failure of which he will be precluded from giving any  
evidence in support of it at the trial. The object in both cases is to prevent surprise  
and procure a fair trial. 1 Phil. Ev. 152; 3 Stark Ev. 1055. The bill of particulars is an  
account of the items of the demand, and states in what manner they arose. Mete. &  
Perk. Dig. h. t. For forms, see Lee's Dict. of Pr., Particulars of demand.

STATE OF CALIFORNIA }ss  
COUNTY OF BUTTE }

On September 4, 1997, before me, GREG WOOD, a Notary Public in and for said State,  
personally appeared Scott Hisao Russell personally known to me (or proved to me on the basis of  
satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and  
acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that  
by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the  
person(s) acted, executed the instrument.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Greg Wood, a Notary Public

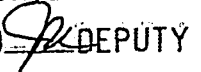


(This area for official notarial seal)

REQUESTED BY  
Scott Russell  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'97 SEP -8 P2:49

LINDA SLATER  
RECORDER

\$ 1500 PAID  DEPUTY

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Demand for Bill of Particulars #9 of 9

BK 0997 PG 1468

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