

KEEN
FILL IN THE X'S

1 PROOF OF SERVICE BY MAIL

2
3 I Kenneth Yablonsky am an adult over the age of 18 years
4 of age and not a party to this action, and am an american
5 citizen. Under penalty of perjury the following documents
6 were mailed to the following addresses and were sealed in
7 postage fully pre-paid envelopes to be delivered by the
8 U.S.P.S. first class deliveries.

9 * Request for records from public defenders office case #FVI900518

10 * Questions to answered by Dave Sanders or Supervisor from
11 that office

12 The mailings were addressed as follows,

13 State Bar of California	Dave Sanders Att.	United States A.G.
1149 S. Hill ST.	14344 Cajon #201	U.S. Dept of Justice
14 L.A., Ca. 90015	V.V., Ca. 92392	950 pennsylvania
		N.W. 20530

CERTIFIED
ONLY

17 These mailing were mailed from the following _____ city
18 and _____ zip½ code on _____ day _____ month _____ year

19 These mailings were mailed from Kenneth Yablonsky, 6 warmsprings
20 IANE Aliso Viejo ,California 92656

21
22
23
24 Under penalty of perjury the afore mentioned was conducted
25 under the penalty of perjury and is accurate to the best of
26 the ability.

27 Kenneth W. Yablonsky sign _____ date _____
28

John Henry Yablonsky AL- 0373

A-3-250

Box 8500

Case # FVI900518

1 Coalinga, Ca. 93210

2
3
4 Dear Mr. Sanders, or whom ever from this office;

5 The context of this request is that you formally answer
6 the following questions with regards to this case number
7 #FVI900518, and any and all interests that you or anyone
8 ine, your office that represented me or my interests in the
9 case stated before.

10 1. Why did you not file the motion for change of venue when
11 the county DA used my case in his re-election campaign

12 2. Why did you not serve the attorney general when you wrote
13 the motion to recuse the entire district attorney's office

14 3, Why did you only release the 300 pages of discovery before
15 the trial and the additional 1300 pages after the trial when
16 the request was for [all] the discovery to this case when
17 we first met ? and why hadn't you released the rest of the
18 discovery to my case ? *THERE IS OVER 4000 PAGES!*

19 4. when I told you that the interrogation was transcribed
20 incorrectly, why didn't you have the recording devices verified
21 or authenticated for the interrogation the was illegally
22 conducted ? (without miranda)

23 5. When I told you that we needed to talk about this case
24 after Attorney Canty had passed this case to you, why didn't
25 you come to the jail to discuss this case in it's entirety
26 and rely solely on what you believed Canty to have told you
rather than discussing it with me personally ?

27 6. Why did you not have the DNA that was found on the scene
28 that belonged to me tested for authentication, possible contam-
ination, breach of mandatory protocol

Question from the trial attorney (1)

1 and have the evidence tested for the length of time that
2 it was at the scene before it was collected. ?

3 7. Why didn't you have the watch pin that was used during
4 the trial as proof of the struggle, and have a DNA profile
5 from that pin ? Or hide the fact that it existed from me?
6 I could have told you that it didn't belong to me,

7 8. Why didn't you have the red hair with the root bulb in
8 tact tested and have a DNA profile since the hair was located
9 on the body, and the body was found nude ? Knowing that
10 I did not have red hair and that this would not be mine

11 9. Why did you not test the desk cloth that was used in
12 this case, to see of whether or not the cloth had other
13 DNA's on it ? Or to verify the length of time the DNA that
14 belonged to me was there before the crime was committed ?

15 10. why did you not follow up on the lead with Lori Amaro,
16 and that there was in fact a restraining order in the courts
17 records that I had given to you, and how you could get in
18 touch with Tony Larue in belflower ? to verify the complaint
19 she made was in fact false ? Or the credit reports that
20 would have shown that I did in fact live at the same address
21 for months ?

22 11. why did you not investigate or at least try to collect
23 the records r that were in Texas from that case involving
24 the bar hooker, when I told you there was a deposition the
25 attorney at the time had conducted proving that her complaint
26 was false, or at least have the evidence sent to you to
27 prove that there was [no] DNA from that complaint of Kye
28 Sun (or what ever her name was) ?

12. when you wrote the speedy trial motion you mentioned
several leads to this case, and people that were unlocateable,
why didn't you follow up on the addresses my family gave
you, or I gave you of their location , or choose to follow
up on the leads of defense that that motion states ?

1 13. when I told you that the jail had terminated the official
2 visit rights and you stated that the jail commander told
3 you that you needed to take his decision up with your boss,
4 why didn't you have the court or anyone else force the
5 jail to release this termination, knowing that you could
6 not get into the jail to discuss this case on any level because
7 of the rights termination ?

8 14. Why did you not discuss [any] tactics or defense with
9 me other than our first visit when you said that you were
10 going to test all the evidences, and this being a DNA case
11 and that most of the witnessses were dead or unlocateable,
12 that I would Have to testify, and that we agreed that I
13 would testify ?

14 15. If you did state you intended to have me testify, why
15 didn't you prepare me for testifying in this trial, Procedures,
16 possiblke questions, rights as to what if any questions
17 that would be asked or answered ?

18 16. when you filed the motion for speedy trial , why didn't
19 you want the motion heard ? and what was the evidence that
20 you stipulated to the court was placed on the record ?

21 ~~XX~~
22 17. When my family gave you the 14 letters of character
23 referance, why did you lie and say you gave them back to
24 my family, when there was no need to have them back when
25 they were to be used in my defense or at the laest as for
26 use of established character.

27 18. You stated during our marsden hearing that you spent
28 enough time on my case and that even thought I said it was
less than 6 actual hours of in-person time to include all
of our court appearances, except for the trial, and that
at least it was moee than the rest of your clients ? How
on any level did you satisfy that answer to the court on
this intense of a case ?

1 19. During the trial there were witnesses that lied and
2 you failed to challenge them or enter objections. When Bruce
3 Nash lied why did you not challenge his lie ? When John
4 Sullivan lied why didn't you challenge his lie ? When Detective
5 Alexander Lied why didn't you challenge his lie ? When Daryll
6 Kramer lied why didn't you challenge his lie ? When DDA
7 Thomas mistated facts during the in-limine hearing didn't
8 you challenge his lie ?

9 20. during the trial why did you refuse to challenge the
10 fact that the states expert testified that my DNA was as
11 many as 1½ days older than this case, and bring that statement
12 forthe jury to clearly hear that My DNA was not the product
13 of this case.

14 21. you had several discussiön out of my presence with the
15 Distriat attorney and the judge, why didn't you keep me
16 informed ? About the context of them conversations or even
17 allow me to participate in the decisions of topiucs or possible
18 defended that were available to me, wüthput at least confering
19 with me first.

20 22.
21 There were several interuptions from the judge with regards
22 to your questioning, and these disputes of legality were
23 winnable throught the states evidence codes but you failed
24 to prepare for these disputes when you faüled to conduct
25 the needed investoigations, or know the appropriate codes
26 to defend your clients interests, do you know the penal
27 and evidence code enough to defend you clients ?

28 23. Why is it that you claimed that I wanted to know so
much about this case, and to be a part of this that you
refused to be honest or forthright with me in this entire
case, stating that I wanted to call the shotds, ask the
questions, or see the evidences in their entiorety ?

1 24. why did you allow the prosecutor to alter the interrogation
2 recording without my authority or knowledge, knowing that he was
3 going to erase exculpatory evidence ?

4 25. why did you allow the interrogation recording to be placed
5 on the record without at least first verifying the authenticity,
6 on the first version after I told you that it was doctored and
7 then allow the prosecutor to alter it again and then allow it
8 in the records without the authentication ?

9 26. you told the judge that you allowed illegal drug activity to
10 be erased off of the interrogation recording, what illegal drug
11 activity are you speaking of ?

12 27. you stated to the judge that you allowed illegal criminal activity
13 to be erased off of the interrogation recording, what illegal
14 criminal activity are you speaking of ?

15 28. you are to be 100% honest in these questions, since there
16 was never any criminal or drug activity that was from my past
17 the courts have not already served sentences for, and there was
18 no activity from my past or future that had not already been
19 resolved through the courts, with regards to question 26 and 27
20 of this questionnaire.

21 29 at what point do you feel the defendant needs to be informed
22 of all matters in their defense ?

23 30 at which point did I ever discuss this case with you to any
24 conceivable degree that would allow you to make decisions without
25 my interests or informing of the possible affects of the case on
26 any level ?

27 31. You said that I told you that I gave you full authority to
28 make decisions without my knowledge or consent, when was this authority
first established and when were you comfortable lying to me ?

1 32. you stated that you were not allowed to make decisions without
2 my wanting to be involved, which decisions were these ? your
3 investigations ? your interviews ? your preparing for trial ?
4 which witnesses to subpoena ? which witnesses to question ? or was
5 it whether you should test the evidences from this case ? the
6 interrogation ? the DNA ? the DNA that was from the gregory Randolph
7 cigarette butts ? The red hair that was found on the body ? the
8 qwatchpin that the DA said came from the struggle ? or the type
9 of questions you should ask the witnesses ? since you said I wrote
10 [alot] of questions.

11 33. do you remember how many times I called your office begging
12 you to defend my case ? does your records reflect how many
13 calls you got from me ?

14 34. do you remember how many time I wrote you lengthy letters
15 begging you to defend my case ?

16 35. when you gave me the investigators phone number, and I called
17 him to discuss this case and possible leads, and he told me
18 if I had any questions to contact you, the attorney, then refused
19 to discuss anything with me and only in a 7 minute video on
20 the jails phone, then I told you the investigator was non compli-
21 ant and you just laughed and said that he must be very busy,
22 and to be patient with him, why didn't you instruct him to comply
23 with my suggestions of searching for certain witnesses in the
24 victorville area, Leftwich... and more ?

25 36. why did you lie to me during the trial and tell me that
26 the judge suggested to you that I need not testify, that testifying
27 would be as incriminating as it would be helpful ?

28 37. you told me after lying to me about the judges suggestion
that the need for testifying, that I had three days to decide,
why did you tell the judge that that was my decision to not
testify when you just told me that I had three days to decide
and I had just given the note to my father to help me decide

- 1 38. you stated that I wanted to make all your decisions
2 for you with regards to this case, which decisions were they....
3 In your investigations ? Who you should interview ? Which
4 witnesses to subpoena ? What questions to ask of which witness
5 during the trial ? With regards to which evidences that you
6 gave me before the trial in the 300 pages was there a decision
7 that needed to be made ?
- 8 39. during the trial I know that there were several questions
9 that you did ask because I had you ask them, why are those
10 questions not in the trial transcript ?
- 11 40. Did you give permission to anybody to alter the transcripts?
12 (trial)
- 13 41. did you alter the transcripts that were the result from
14 this trial ?
- 15 42. after you altered the interrogation transcripts, admittedly,
16 you allowed the DDA Thomas to further alter them, with out
17 any form of authentications, why did you allow him to alter
18 exculpatory evidence, impeaching evidence ?
- 19 43. when you interviewed or the investigator interviewed bruce
20 nash what did he tell you ?
- 21 44. when you or the investigator interviewed john sullivan,
22 what did he say to you ?
- 23 45. When you interviewed Lori Amaro or search for the records
24 the Long Beach courts would have, what did you learn or discover?
25 *AND WITH NUMBER DID YOU FIRST CALL, IS THERE A RECORD
26 OF THAT CALL - WHEN IS IT ON RECORD AND WHEN*
- 27 46. when you searched or interviewed sun kye (woman from
28 texas) what were the results from the investigations ?
47. when I told you that Robert Edwards had information with
regards to this case, and I gave you one of the letters that
I had received from him, and you said that you were going
to,

1 go to the San Quentin prison to interview him, what were
2 the results of that interview/? or what were the results
3 of the investigators interview ?

4 48. When the jury came back [hopelessly deadlocked] and were
5 firm in their position, andd the prosecutor asked the court
6 for further closing arguements, what would your reaction
7 to that request have been had you actually stepped into the
8 courtroom and been present during that crucial moment ?

9 49. When the judge had heard the count of the jury's deadlock
10 and in which direction they were [deadlocked] and asked them
11 to continue their deliberations, what if any would your decisions
12 had been ? and for what reasons ?

13 50. When the jury agreed to deliberate for 30 more minutes
14 and before they were excused, the jury foreman stated to
15 the judge " don't woory your honop we'll get the job done",
16 what would your reactions been with the court ?

17 51. Finally, you told the courts that you mailed to me, on
18 several occaisions after the trial, evidences that I initially
19 asked for in the beginning of our rekatioinship, That you
20 mailed several packages from those mailings, I need the recorded
21 log of those mailings, and for them to reflect the actual
22 amount that those mailiungs came to and on whid dates ?

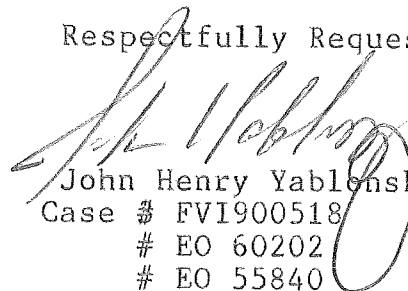
23 This is a matter of formal request to allow the trial attorney
24 Dave Sanders a chance to explai~~n~~ his actions or lack thereof
25 with regards to his representation of JOHN HENRY YABLONSKY
26 and case # FVI 900518 for the murder trial that was conducted
27 in the Victorville Branch of the California State Superior
28 Courts. This request demands an expedited response since
the courts have two seperate and active cases that refer
to this line of questioning.

1 This is to inform Dave Sanders or the authorized agent
2 of the government that will respond, that this request
3 pertains to the matters that will be discussed in the state
4 supreme court and the federal courts with regards to the
5 actions and lack of actions by Dave Sanders, or the public
6 defenders office in San Bernardino california.

6 The questions asked in this questionnaire are directed to
7 Public Defender Dave Sanders and pertain to case number FVI900518
8 and are the truth under penalty of perjury to be related
9 to the petitioners interests in the carnage of Dave Sanders
10 failures in his defense of his client on this casee John
11 Henry Yablonsky

12
13 (I NEED THE RESPONSE BY MARCH 10, 2014)
14
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16
17
18
19

20 Respectfully Requested;

21  1-10-14
22 John Henry Yablonsky pro-per
23 Case # FVI900518
24 # EO 60202
25 # EO 55840

26
27
28

QUESTION FROM THE TRIAL ATTORNEY (9)

John Henry Yablonsky AL-0373
Box 8500
Coalinga, Ca. 93210

Case # FVI 900518

1 Dear Mr. Sanders; or Whom this concerns
2

3 This is a formal request for your records to the repres-
4 entation of your services with any and all regards to my
5 case.

6 I am asking that you release every document that relates
7 to my case and every note, record, file, investigators notes
8 and records, leads, interviews, investigations to whom and
9 with in regards to the investigations and trial preparations
10 for my case. I am asking that you release and send me every
11 document that the district attorney gave you with regards
12 to this case and any possible exculpatory evidences that
13 were mine from this case. Mine being anything that relates
14 to me and my interests. I am asking that you release and send
15 to me every file, motion, writ, copy of e-mail that you sent
16 or received with regards to my case from the time you were
17 first notified that you were going to be my attorney, and
18 until the courts contacted you with regards to my or my attorney's
19 claims. I am in propia persona on my legal interests at this
20 time, and am formally telling you thaty these imformations
21 are needed to protect and defend my legal, and constitutional
22 interests at this toime.

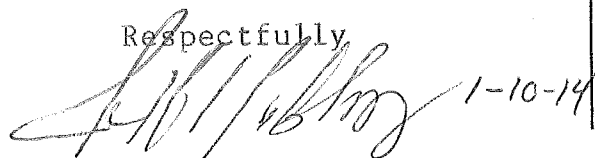
23 I am send the courts a copy of this request, and am demanding
24 that you respond in an expedited manner.

25 These document are of no interest to you and shopuld the
26 courts require you to respond to your refusal to non-compliance
27 with this demand the California Bar Association will be informed
28 as will the American Bar Association. As you can see they
were sent copies of this demand.

I will expect a reasonable response time, and demand that
these requests be honored and sent to me at the state prison
for which i am house bt no later than Feb. 28, 2014.

Please include the list of every attorney visit you had with
at the West Valley Detention Center and the context of those
meetings, dates, times, purposes, and every call that you
received by me or my family.

Respectfully

 1-10-14