

1 John Henry Yablonsky AL-0373
2 Box 8500
3 Coalinga, ca. 93210
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7 IN THE UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT, CENTRAL DIVISION

9 John Henry Yablonsky,
10 Petitioner;

11 vs

12 Scott Fraenheim (warden);
13 Respondent,

EDCV 14-01877-PA(DTB)

NOTICE OF FILING LODGEMENT
AS EXHIBIT Z1(1-4) IN SUPPORT
OF GROUNDS TWENTY-SIX
HABEAS CORPUS U.S.C. §2254

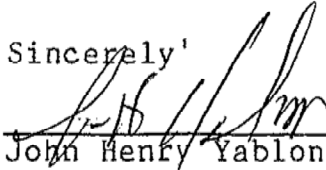
The Honorable Magistrate Bristow

14
15 The following documents come in support of the ground
16 twenty-six (conspiracy to alter recording). These documents are
17 vital to the courts view on just how much of the 3 hour and
18 48 minute recording was actually played to the jury. This minutes
19 record does indicate there is over 1 hour and 50 minutes missing.

20 This exhibit Z1(1-4) supports the habeas petition before
21 the court, on ground twenty-six.
22
23
24
25

26 Date 12/16/14

Sincerely,


John Henry Yablonsky

28

PROOF OF SERVICE ACCORDING TO PRISONER MAIL BOX RULE

This service and mailing was conducted by a party to this action and was conducted in accordance with facility practice and the Title 15, div. 3 section §3142, also Penal Code § 2601(b).

This mailing was inspected and sealed in the presence of an on duty correctional officer, in a fully pre-paid envelope that was addressed to the following,

United States district Court
3470 Twelfth st. #134
Riverside ,Ca.92501

Department of Justice
Calif. Att. General
Attn; Delgado
Box 85266
San Diego, Ca. 92186

This service contained the following ;

LODSEMENT EXHIBIT Z1 (1-4)

This service was conducted by an adult over the age of 18 years of age,, and mailed in compliance with ordinary daily mail practices and routines that are processed and delivered by the U.S.P.S. from the city of;

COALINGA and 93210
city zip code

This service was conducted on))) 12/16/14 Date

ACCORDING TO THE PRISONER MAIL BOX RULE
THIS SERVICE IS CONSIDERED FILED ON THE DATE OF THE SERVICE

UNDER THE PENALTY OF PERJURY

The forgoing of this proof of service is the truth to the best and direct knowledge of;

John Henry Yablonsky

12/16/14
Date

My address is Box 8500 Coalinga, Ca. 93210

Minutes

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[Case Report](#) [Fine Info](#)

Case Number:

Case FVI900518 Defendant 3114201 YABLONSKY, JOHN HENRY

Defendant 1 of 1

Action: 01/27/2011 - JURY TRIAL (IN PROGRESS)

Case FVI900518 Defendant 3114201 YABLONSKY, JOHN HENRY

Action: JURY TRIAL (IN PROGRESS)

Date: 01/27/2011

Time: 9:00 AM

Division: V2

Hearing Status: DISPOSED

JOHN M TOMBERLIN, J-JUDGE

CLERK: VICKIE LO VASCO

CERTIFIED COURT REPORTER: SM-SHAWNA MANNING CSR# SM-12827

DEPUTY DISTRICT ATTORNEY JOHN THOMAS PRESENT.

DEPUTY PUBLIC DEFENDER DAVE SANDERS PRESENT

DEFENDANT PRESENT IN CUSTODY.

PROCEEDINGS

ACTION CAME ON FOR JURY TRIAL-IN PROGRESS

7TH DAY OF TRIAL.

9:15

COURT RECONVENES, ALL PARTIES PRESENT. ALL JURORS AND ALTERNATE JURORS ARE PRESENT AND IN THEIR PLACES.

PEOPLE'S EXHIBIT(S) 49-CD INTERVIEW WITH DEFENDANT MARKED FOR IDENTIFICATION.

PEOPLE'S EXHIBIT(S) 49A-TRANSCRIPT OF EXHIBIT 49 MARKED FOR IDENTIFICATION.

9:16

PEOPLE'S WITNESS DETECTIVE ROBERT ALEXANDER SWORN AND TESTIFIES.

9:27

EXHIBIT 49 (CD) PLAYED IN OPEN COURT - COURT REPORTER WAIVED DURING THE PLAYING OF

EXHIBIT 49.

-
10:35
RECESS DECLARED; JURORS ADMONISHED.
(ADMONISHED OFF THE RECORD)

PLAY 1:07
TO INCLUDE STOPPING
RECORDING AND DECLARE
RECESS
ADMONISH

-
10:51
COURT RECONVENES, ALL PARTIES PRESENT. ALL JURORS AND ALTERNATE JURORS ARE PRESENT
AND IN THEIR PLACES.
(OFF THE RECORD)

-
10:52
PLAYING OF EXHIBIT 49 (CD) CONTINUES.

0:06

-
11:58
RECESS DECLARED; JURORS ADMONISHED.
(ADMONISHED OFF THE RECORD)

PLAY 1:13
TO INCLUDE STOPPING
RECORDING AND
DECLARE RECESS
ADMONISH

-
13:34
COURT RECONVENES, ALL PARTIES PRESENT. ALL JURORS AND ALTERNATE JURORS ARE PRESENT
AND IN THEIR PLACES.
(OFF THE RECORD)

-
13:35
PLAYING OF EXHIBIT 49 (CD) CONTINUES.

0:42

-
14:17
EXHIBIT 49 (CD) ENDS.

PLAY 1:55
THE RECORDING IS
3 HOURS 48 MINUTES
LONG
+ OR - 2 MINUTES

-
14:17
BACK ON THE RECORD

1 Hour 53 minutes MISSING

-
COUNSEL STIPULATES THAT MORNING AND LUNCH RECESSES WHERE JURY WAS ADMONISHED
(OFF THE RECORD) WAS DONE ACCORDING TO COURT PROCEEDURES. COUNSEL STIPULATES THAT
COURT PROCEEDURES WERE FOLLOWED WHEN COURT RECONVENED (OFF THE RECORD)

-
14:18
PEOPLE'S WITNESS DETECTIVE ROBERT ALEXANDER RESUMES TESTIMONY, STILL UNDER OATH.

-
14:35
WITNESS DETECTIVE ROBERT ALEXANDER EXCUSED SUBJECT TO RECALL.

-
14:34
PEOPLE REST.

-
14:35
DEFENSE REST.

-
BENCH CONFERENCE OFF THE RECORD AT 2:35.

BENCH CONFERENCE ENDS AT 2:37.

14:38

JURY QUESTION RECIVED
RECESS DECLARED; JURORS ADMONISHED.

14:40

COURT RECONVENES; ALL PARTIES PRESENT.
JURORS NOT PRESENT.

14:41

ACTION CAME ON FOR DEFENSE 1118.1 MOTION.

ARGUMENT PRESENTED BY COUNSEL FOR THE DEFENSE.
ARGUMENT PRESENTED BY COUNSEL FOR THE PEOPLE.

DEFENSE MOTION 1118.1 IS DENIED.

COURT AND COUNSEL DISCUSS DEFENSE REQUEST TO HAVE COURT INSTRUCT JURY TO
DISREGARD LINES 10 THROUGH 12 OF EXHIBIT 49A (TRANSCRIPT) DEFENSE MAY BRING AUTHORITY
FOR COURT TO REVIEW.

RECESS DECLARED 2:57

RECESS DECLARED 2:56

15:26

COURT RECONVENES; ALL PARTIES PRESENT.
JURORS NOT PRESENT.

PEOPLE'S EXHIBIT(S) 1 THROUGH 29 ENTERED INTO EVIDENCE.
PEOPLE'S EXHIBIT(S) 33 THROUGH 37 ENTERED INTO EVIDENCE.
PEOPLE'S EXHIBIT(S) 39 ENTERED INTO EVIDENCE.
PEOPLE'S EXHIBIT(S) 41 THROUGH 49A ENTERED INTO EVIDENCE.
(EXHIBITS ENTERED BY STIPULATION)

COURT AND COUNSEL DISCUSS JUROR QUESTION.

COURT AND COUNSEL REVIEW JURY INSTRUCTIONS ON THE RECORD.

RECESS DECLARED 4:00

HEARINGS

JURY TRIAL (IN PROGRESS) CONTINUED TO 01/31/2011 AT 9:00 IN DEPARTMENT V2.
DEFENDANT ORDERED TO APPEAR ON HEARING DATE.
(JURORS ORDERED BACK AT 9AM - COUNSEL ORDERED BACK AT 8:30)

CUSTODY STATUS

===== MINUTE ORDER END =====
PREVIOUS MINUTES PRINTED.