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WHEN THIS MAILING HAS BEEN DELIVERED INTO THE CUSTODY OF CDCR STAFF

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SIGNAL HILL POLICE DEPARTMENT

Signal Hill, ca.

LONGBEACH POLICE DEPARTMENT

LongBeach , ca.

This service contained the following documents;

P.C. § 1054.9 informal request for discovery pursuant to [STEELE]

This service was conducted by an adult over the age of 18 years of age and mailed from a state institution, which will be logged by facility mailroom parties as [LEGAL] mail. This mailing was conducted from ;

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92179

ZIP CODE

This service was conducted on (DATE) OCTOBER 21, 2020

UNDER THE PENALTY OF PERJURY

THE FORGOING IS TRUTHFUL AND ACCORDING TO BELIEF

(NAME) john henry yablonsky

(SIGNED) \_\_\_\_\_

My address is 480 alta s.d.ca.92179

John Henry Yablonsky CDCR#AL0373  
18-147  
480 Alta rd  
San Diego, ca, 92179

October 20, 2020

RE: PEOPLE V JOHN HENRY YABLONSKY CASE#FVI900518  
SUPERIOR COURT OF CALIFORNIA (COUNTY OF SAN BERNARDINO)  
INFORMAL REQUEST FOR DISCOVERY PURSUANT TO P.C. § 1054.9  
IN RE STEELE(2004) 32 Cal.4th 682

ATTENTION SIGNAL HILL POLICE DEPARTMENT EVIDENCE SUPERVISOR  
ATTENTION LONG BEACH POLICE DEPARTMENT EVIDENCE SUPERVISOR

sir/madam;

I am an inmate who had been sentenced to life without parole, and require specific evidences and informations that are under your control and/or possession. Pursuant to the statutory language under section 1054.9 and the Court in STEELE this request is directed at evidence in your possession.

#### FACTUAL SUMMARY

That homicide detectives from San Bernardino Sheriff Department arranged the use of your facility on March 8, 2009 for the use of collections of evidence and housing in an arrest made upon John Henry Yablonsky (JOHN). Prior to the date above detectives Robert Alexander as well as detective Greg Myler arranged with your department "SPECIAL" services in an investigation and arrest.

That on or about March 8, 2009 around 0950 hours detective Alexander and detective Myler used your facility to conduct an interrogation which was recorded by your department camcorder located in an "INTERVIEW" room. The recording created onto a camcorder cassette was created.

That after the interrogation detectives Alexander and Myler placed John under arrest and detained him inside your facility until about 1400 hours. John was later tried and convicted for the murder of Rita Mabel Cobb and sentenced to life without the possibility of parole.

The DR# 1331036-07 or some other related numerical identifying information was used for this "SPECIAL SERVICE" between department in this matter. Your department are in control of these materials which are the target of this informal request for access pursuant to STEELE § 1054.9.

Post trial collateral attacks have been made against this miscarriage of justice, alleging among other things, that the interrogation transcripts had been altered before presenting them to the jurors. Changing petitioners answer when creating the transcript used during the trial.

The meaning of this request with your department is that your officers and department played a significant role in the activities which occurred on March 8, 2009 at 1700 E Silva st. Long Beach California. The roles participated in are obvious and known to the degree that your department arranged, scheduled and took part in the arrest and search of said residence.

That prior to this date San Bernardino sheriff department arranges such an activity which required more than one jurisdiction of agencies to effectively perfect a warrant for the arrest of John Henry Yablonsky and the search of his residence on March 8, 2009 between the hours of 0900 hours and 1400 hours on that same date.

That both agencies took part in this prescheduled activity for the purpose of investigations and arrest during these scheduled activities with regards to the murder of Rita Mabel Cobb who had been killed on or about September 20, 1985, twenty five years prior to this arranged activity.

That someone within the sheriff department of SBSB contacted members of your department to assist in the jurisdictional enforcement of an arrest warrant of John Henry Yablonsky who was the suspect in the murder of Rita Mabel Cobb.

It is in the communications between departments which arrangements were made to schedule a group of officers from each department for the arrest and search of said suspect, which is the purpose of this request for evidences that are within your possession at this time.

Each department, Signal Hill Police, Long Beach Police, and San Bernardino Sheriff took part in this activity on said such date where previous contact was made between departments to schedule these activities. These communications are the target of this inquiry at this time.

#### PRIOR EFFORTS TO OBTAIN

Upon arrest John Henry Yablonsky made direct formal requests for these materials from trial counsel which was appointed by the public defenders office in San Bernardino county. These formal requests were obfuscated while trial counsel on the record admitted he withheld 97% of the case file from his client. These requests were made in March 2009.

After trial and before direct appeal, defendants moved trial counsel for the entire trial record, which was again obfuscated and trial counsel released another 'PORTION' while still withholding more than 80% of the states files. To date trial counsel has not provided the entire file while he argues that he had, three separate times, one of those times he admitted he withheld 97% of the file.

REQUESTED MATERIALS IN YOUR POSSESSION

1) All copies of communications with Sanbernardino sheriff department and your department prior to, during and after March 8, 2020 regarding John Henry Yablonsky 1700 E Silva St. LongBeach ,Ca, 90807

\* To include all communications between detectives Robert Alexander , Greg Myler and "ANYONE" within your department.

\* To include any records created by your department in the assistance of another county for investigative purposes in the Rita Mabel Cobb DR#1331036-07

\* To include all chain of evidences created by your department by any member of your department prior to , during, and after March 8, 2009 for DR#1331036-07

\* To include all copies of the interrogation that was created by cam corder or any other recording device on March 8, 2009 between 0950 hours and 1400 hours.

- i) This is to include actual copies from cassettes
- ii) This is to include actual loggings of such evidence
- iii) This is to include all chain of custody records

2) That you provide John a copy of department policies regarding inneragency activity with regards to arrests and investigations.

3) That all radio transmissions created on March 8, 2009 between Sanbernardion sheriff department, LongBeach police department, and Signal Hill police department between 0700 hours and 1400 hours on March 8, 2009 regarding an arrest upon John Henry Yablonsky 1700 E Silva st LongBeach Ca. 908077

- i) To be in transcript form
- ii) To include audio copies on CD for authenticity

4) Any other related materials in your possession with regards to the special investigations of the murder of Rita Mabel Cobb and suspect John Henry Yablonsky previous to the arrest date.

- i) This is to include all prior arrangement for investigations
- ii) This is to include any surveillance of same subject
- iii) This is to include all named parties during these special investigations by your department

POINTS AND AUTHORITIES

1054.9 (a) Upon the prosecutoin of a postconviction writ of habeas corpus, or a motion to vacate judgment in a case in which a sentence of death or of life without possibility of parole has been imposed, and on showing of good faith efforts to obtain discovery materials from trial counsel were made and were unsuccessful, the Court shall, except as provided in sub(c) order that the defendant be provided reasonable access to any of the materials described in section (b).

(b) For the purpose of this section, "DISCOVERY MATERIALS" means materials in the possession of the prosecution and law enforcement authorities to which the same defendant would have been entitled at the time of trial.

The plain language under 1054.9 enables the defendant to obtain materials in the possession of the prosecution and law enforcement authorities to which the same defendant would have been entitled at the time of trial" (§1054.9, sub(a)) The Court in STEELE interpreted this language as encompassing not only materials in the possession of "THE PROSECUTION" itself but also "LAW ENFORCEMENT AUTHORITIES" who were involved in the investigations or prosecutions of the case"(Id at 696)

MAGALLAN V SUPERIOR COURT, 192 CA4th 1444(2011)(TO DISCOVER EVIDENCE FOR SUPPRESSION PURPOSE); U.S. BAGLEY 473 US 667(1985)(EVIDENCE FAVORABLE TO THE ACCUSED) BRADY V MARYLAND #&# US 83 (1963)

Because the defendant in that case (YABLONSKY) was in fact sentenced to life without parole, his request is meaningful and with merit and not a fishing expedition. John sought discovery from trial counsel who repeatedly failed to disclose or produce the entire file, obfuscating the states records from being discovered. These efforts are a matter of public outlined in state bar complaints as well as developments throughout post trial challenges.

The records are in the possession of your department and are "DISCOVERABLE MATERIALS" under the language of STEELE. I am housed at R. J. Donovan Corrections at 480 Alta rd. sandiego california 92179 and have access to equipment to review these records upon your forthright transparency to this request. It is expected the results of this development that misconduct occurred, and as such, due process rights afforded a fair trial were breached and therefore violated.

CONCLUSION

I would appreciate your cooperation at this time, and look forward to eliminating your department as a source of the misconduct discussed above.

Respectfully;

John Henry Yablonsky