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Courts

1 JOHN HENRY YABLONSKY  
#2309342444- AL0373  
2 9500 ETIWANDA  
R.C.,CA 91739  
3 IN PROPRIA PERSONA

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6 SUPERIOR COURT OF CALIFORNIA  
7 COUNTY OF SANBERNARDINO

8 JOHN HENRY YABLONSKY,  
9 PETITIONER

Case No.: FV1900518

10 vs.

**NOTICE OF MOTION AND MOTION IN  
PURSUIT OF ANCILLARY FUNDS PC987.2  
THE RE-APPOINTMENT OF GS MEDIA GROUP  
FOR THE SECOND PHASE OF THESE EXPERT  
ADUIO FORENSICS ANALYSIS**

11  
12 THE PEOPLE OF CALIFORNIA  
13 RESPONDENT

**THE HONORABLE ZARAHARA T.ARREDONDO**

14  
15 If it pleases the Court John Henry Yablonsky (PETITIONER) moves the court as a  
16 humble pro- se litigant since September 29, 2023, and consistently since. Petitioner is before the  
17 court addressing felony- murder post trial challenges pursuant to PC 1172.6. The court de-  
18 signated briefing schedules which motivated the district attorney into producing evidence that  
19 was extrinsically false, alleging that this evidence is proof petitioner was guilty as an actual  
20 killer. PC189(e)(1) The court has recognized petitioner's allegations that this evidence is false,  
21 which has now being investigated by court experts. This court appointed GS MEDIA GROUP -  
22 19210 Dearborn st, Northridge, Ca. 91324 (818) 399-1255 on June 6, 2025. That appointment  
23 produce compelling scientific evidence, legally supporting petitioners claims, that because of  
24 development would entitle petitioner to relief. **(SEE ATTACHED DECLARATION BY**  
25  
26 **THOMAS GUZMAN-SANCHEZ- GS MEDIA LAB FORMERLY GS MEDIA GROUP)**  
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GS MEDIA

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## I. RELEVANT FACTS

2 On 2-3-2011 petitioner was convicted of felony- murder with the deliberate use of false  
3 and misleading evidence that was material to the issue of guilt, that evidence was designated as  
4 states exhibits 49 & 49A, (RT403. 455- 508-09) in this case, where there was no other  
5 incriminating evidence, that was material to the issue of guilt, (RT 317, 491) and the false  
6 fabricated misleading evidence was used in this case to manipulate the jury into a verdict which  
7 resulted in an LWOP sentence. On 12-12-2023 petitioner filed a verified petition pursuant to  
8 PC1172.6 to recall this judgment. On 1-26- 24 the district attorney's office submitted into this  
9 record evidence as a memorial of the trial evidence used for the jury to decide guilt. That  
10 evidence was presented to the jury as unaltered, and original media which the district attorney  
11 knew was not. The evidence presented to the jury was nothing like the evidence now presented  
12 into this record during 1172.6 proceedings. On March 14, 2025 the Court appointed Naum Ware  
13 private investigations as a preliminary investigator to evaluate and verify the state's evidence  
14 described as a 113 page text transcript of the March 8, 2009 interrogation. That investigation  
15 produced physical proof that this states exhibit 49A was not only falsely altered by the district  
16 attorney who altered petitioner's answers to incriminate him, and was illegally seized (THE  
17 NAUM WARE REPORT IS NOW BEFORE THIS COURT AND THE 1172.6 COURT) That  
18 report proves;

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- 23 1) The defendant should have been read his MIRANDA rights but was not
  - 24 2) When defendant invoked MIRANDA detectives forced interrogatory questioning
  - 25 3) That defendant was in fact under custodial control, making the interview an interrogation
  - 26 4) That SBSD as well as SBDA office altered defendant's answers to incriminate him

27 Petitioner then submitted a motion to this court for the appointment of GS MEDIA  
28 GROUP for access to forensics examinations of states exhibit 49 (March 8, 2009 interrogation)

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1 On June 6, 2025 the court appointed GS MEDIA GROUP for these investigations. Naum Ware  
2 investigating provided exhibit 49 (audio compact evidence) to GS MEDIA GROUP. THIS  
3 FOUR HOUR INTERROGATION RECORDING DESCRIBED AS STATES EXHIBIT 49  
4 WAS THEN EVALUATED THROUGH MODERN SCIENTIFIC SOFTWARE RX IZOTOPE  
5 WHICH DISCOVERED VALUABLE AND RELEVANT RESULTS. The audio expert  
6 technician using audio clarification, file verification software which discovered and detected  
7 **EXTREME DECEPTION** within this evidence that had been tampered with, altered and  
8 spliced more than fifty (50) **DROPS- CUTS WHICH SHOULD NOT LEGALY EXIST IN**  
9 **ORIGINAL EVIDENCE.** According the GS MEDIA GROUP there is a legal need for the  
10 second phase of this examination and the writing of legal report which defendant can now prove  
11 scientifically that the states key centerpiece evidence had been fraudulently altered, destroying  
12 potential exculpatory & impeaching evidence. **(SEE ATTACHED VERIFIED GS MEDIA**  
13 **LAB REPORT UNDER PENALTY OF PERJURY)** According to the technician, this  
14 evidence had been so badly destroyed that it consumed the twenty hours this court originally  
15 appointed them to perform and requires more time. Within this sworn declaration by GS MEDIA  
16 they provide visual photographs of this evidence where the “ORIGINAL RECORDING  
17 MATERIAL SHOULD NOT CONTAIN [ANY] SPLICING”. Those results instigated the need  
18 to use modern technologies and software that was designed to detect **TAMPERING.** This  
19 scientific technology meets all of today’s demands for scientific credibility thresholds. KELLY/  
20 FRYE CA EV 84. This court {must} take notice of these **EXTEREME DEFECTS THAT**  
21 **COULD NOT HAVE BEEN DISCOVERED IN 2009 AND NOW QUALIFY AS NEWLY**  
22 **DISCOVERED EVIDENCE WHICH SUPPORTS ENTITLEMENT TO RELIEF!**

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**POINTS AND AUTHORITIES**

Indigent defendants are entitled access to the courts ancillary funds PC 987.2 FAXEL 91 CA3d @330; HURLEY 95 CA3d @899; TORRES 50 CA3d @785 There is a legal relevance into the integrity of states evidence. It was and still is the states entire case that the defendant lied about an extramarital affair which was attached to DNA evidence that predated the alleged crime by days. (RT317 several) (RT491 at least one and a half days). Since the scientific forensic evidence did not incriminate the defendant, the district attorney was compelled to manufacture some! NAPUE 360 US @ 269; MIRANDA 384 US @ 479; INNIS 446 US @301; IN RE SASSOUNIAN 9 Cal.4<sup>th</sup> @545; TROMBETTA @488; YOUNGBLOOD @58; Cal. Const. Art.I sec. 28(f)(2): Ca Ev 1521 When it appears to the court that a party requires appointment of experts relative to facts where an expert may be required, the court [may] authorize access. PC 987.2 These funding's for indigent defendants for the presentation of credible evidence is governed under due process of the 14<sup>th</sup> amendment US Constitution. When evidence was used and was material to guilt, and that evidence had been discovered that it was unreliable, this discovery requires expert analysis through modern scientific methods that protect the integrity on the defendant's right. This was states centerpiece! The urgency now becomes legally necessary in order to prevent a miscarriage of justice. MURGIA 15 C3d @298; People v Superior Court (BAEZ) 79 CA4th @1189(2000); ARMSTRONG 517 US @468 **"THE COURT SHOULD TAKE JUDICIAL NOTICE- CA EV 452"** (SEE ATTACHED) **IN RE RICHARDS 63 C4th 291(2016) CONVICTED BY THE DISTRICT ATTORNEY OF SANBERNARDINO THROUGH THE USE OF FALSE EVIDENCE; THE COLONIES CASE WHERE JEFF BURAM, PAUL BIANE, MARK KIRK & JEFF ERWIN**

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1 ALL FELL VICTIM TO THE USE OF FALSE EVIDENCE BY THE SANBERNARDINO

2 DISTRICT ATTORNEY'S OFFICE (SEE ATTACHMENTS) The United States Constitution

3 14<sup>th</sup> amendment due process clause requires appointment. FAXEL 91 CA3d 327(1979); DOE 39  
4 CA4th 538; CORENEVSKY 36 C3d @ 321 "ancillary services are necessary at this time"

6 ANALYSIS

7 Because of the gravity of this sentence and the nature of the misconduct that was  
8 discovered by Naum Ware and now GS Media Group shows that deception was deliberate,  
9 strategic and then presented to trial and post-trial counsel in the altered condition to deprive post-  
10 trial relief, and presented to Naum Ware & GS Media Groups investigations. This modern  
11 technology recently became available, which is how these misconducts were discovered. The  
12 Court is urged to personally contact GS Media Group, now, GS Media Lab @ (818) 399- 1255,  
13 or Naum Ware @ (909) 935-5818 for personal verification. As a direct result there is a legal &  
14 constitutional significance in whether this evidence was in fact altered and unreliable, whether it  
15 was material to the issue of guilt and whether this evidence is reliable enough to meet today's  
16 modern burdens..

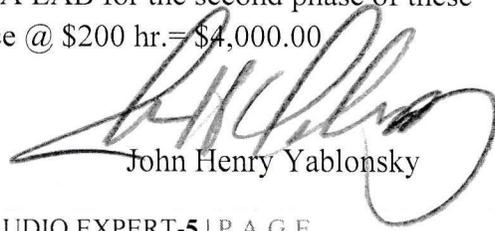
19 VERIFICATION

20 I John Henry Yablonsky, an adult and party to this action now declared under  
21 the penalty of perjury that the forgoing facts are true and accurate according to belief  
22 and knowledge. That I am still indigent and cannot afford access to these experts.  
23 That I am legally and factually innocent of these charges which I was convicted of,  
which support the constitutional gravity of this request now before this court.

24 PRAYER

25 1) That this court appoint GS MEDIA LAB for the second phase of these  
investigations for 20 hours service @ \$200 hr.= \$4,000.00

27 October 3, 2025

  
John Henry Yablonsky

GS MEDIA

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PROOF OF SERVICE

GS MEDIA LAB 987.2

I George Yablonsky an adult and not a party to this action declare under the penalty of perjury to the fact that I personally served the following party a motion entitled motion for ancillary funds filed by John Henry Yablonsky.

This service was conducted on October 2025 to;  
Superior Court  
14455 civic center dr.  
v.v.,Ca 92392

Geiger Yablonsky (LEGAL RUNNER)

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