

1 PROOF OF SERVICE ACCORDING TO PRISONER MAIL BOX RULE

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

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

8 TO KEN YABLONSKY 6 WHEATLAND AVE. A.V. CA. 92656 FOR CERTIFIED MAILING TO

9 Superior court Of California

10 Attention Shawna Manning Office reporter CSR 12827

11 Victorville Superior court

12 303 W. 3RD ST
13 S.B. CA. 92415

14 This service contained the following ;

15 Questions with regards to transcripts

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

20 Coalinga and 93210

21 city zip code

22 This service was conducted on))) 11/3/14 Date

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

25 UNDER THE PENALTY OF PERJURY

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

28 John Henry Yablonsky

11/3/14
Date

My address is Box 8500 Coalinga, ca. 93210

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

Superior Court Case No. FVI900518
Dept. V-2 The Honorable Judge
John Tomberlin

RE; Court Trial Transcripts

REQUEST FOR SWORN AFFIDAVIT UNDER THE PENALTY OF PERJURY

The case noticed above is under dispute in the federal court and concerns of authenticity are required with regards to a court's reporters notes by Shawnaa Manning, Office reporter CSR No. 12827.

This officer of the court recorded trial transcripts from case number FVI900518 of the Victorville Superior court in department V-2, People v. Yablonsky on January 27, 2011.

The following questions are requested under the authority of C. Ev. Code §§ 135, 1401 and 1402 of the local rules of evidence with regards to the content of Ms. Mannings work product and it's authenticity.

The party in dispute (John Henry Yablonsky) is asking the party in response (Shawnaa Manning Office Reporter CSR No. 12827) to answer the following questions under the penalty of perjury with regards to case number EDCV 14-01877-PA(DTB) in the Federal District court.

- 1) Were you the court reporter for the case People vs. Yablonsky on January 27, 2011 ?
- 2) Was your licence and certification current and valid at the time this reporting was conducted ? You must show proof.
- 3) The reporting was conducted for this trial date how ?
- 4) Were you the only person that had access to those records before they were transcribed ?
- 5) Did you use a computer with regards to that date of recording, and was this recording accessible through Wi-Fi ?

- 1 6) Is this recording device under your possessive control at
2 all times during and after your work product had been installed
3 onto the equipment ?
- 4 7) Did you personally record the information that was conducted
5 that day in Department V-2 of the Victorville Superior Court
6 room for Case No.FVI900518 People vs.Yablonsky on January
7 27,2011 P.M. session ?
- 8 8) Is it possible there were recording errors during that recording
9 session as the record was being inserted into the device you
10 used for this type of hearing ?
- 11 9) Were you able to hear the trial clearly during that hearing ?
- 12 10)Is it possible that you input incorrect information the trial
13 was presenting on this specific day ?
- 14 11)Is it possible that clerical errors occur during your course
15 of work,occaisionally ?
- 16
- 17 12) During this specific day in question January 27,2011, the
18 court was conducting witness testimony as well as recording
19 devices with regards to interviews that were conducted by the
20 Detectives of the case and Mr.Yablonsky.The state presented
21 on the screen (visual) and over court speaker (audio) of that
22 interview/Interrogation.Did your equipment record the segment
23 played to the jury (The interrogation recording) ? WHERE IS THAT
24 INFORMATION, THE VISUAL DISC AND AUDIO DISC USED FOR THE INTERVIEW
25 THAT WAS USED IN THE COURTROOM THAT DAY? PROVIDE COPIES.
- 26 13)With regards to that same session and day, there was testimony
27 by Detective Alexander while being cross-examined by Defense
attorney Dave Sanders. Pages 517 and 519 of that recording.
Your records show a section that is incorrect, is it possible
there was an error in recording this informatiophn. ?

- 1 14) When was this transcript first transcribed for defense purposes
2 and who was it for ? *WHO CERVED IT?*
- 3 15) How many times was this section of the transcripts transcribed
4 for any purposes ?
- 5 16) Did you have complete control of your equipment at all times
6 from the trial dates until they were ~~transcribed~~ ?
- 7
- 8 17) Is there a password that protects your computer that holds
9 these court recordings of trials ? *WHAT KIND OF PROTECTION IS THERE?*
- 10 18) Mr. Yablonsky noticed that when ~~you~~ took your breaks, you
11 left your computer unattended, and left the room. Is it possible
12 that when you leave your computer, you leave the computer program
13 running and on, to preserve records that were recorded ? *NOT YET
SAVED, FOR BREAK PURPOSES?*
- 14 19) Have you ever left the court room where your computer was
15 located during a court session, while the attorney's and judge
16 stayed behind, leaving your program on and servicable ?
- 17 20) Is there a recording device or program that records the amount
18 of access and by whom, and for how long on your program ?
19 On your computer for the information you install ? *OR ANY
OTHER EQUIPMENT THAT WOULD INDICATE AND ALTERING OF SOME
KIND ? (ANSWER ALL)*
- 20 21) Do you still have the computer program the information in
21 question was recorded on ? and if not where is the entire
22 computer used during that session ?
- 23 22) Your computer uses a hard drive while in use, where is the
24 hard drive that was in the computer that was used during this
25 specific trial ?
- 26 23) Is it possible that your program was accessed after information
27 was input by yourself, by someone else to alter the actual
recordin g to something else ?



1 24) Since the interrogation recording was played during your appointed
2 session, was it your responsibility to control the recordings
3 that ewere played to the jury ? ~~where~~ ARE THOSE DISC/S ?

4 25) Do you store your computer at your personal residence when
5 your not at work ?

6 26) Do you have any other personal information on this recording
7 device in question, that does not relate to criminal or civil
8 recordings ?

9 27) Does anyone have acces to your equipment when your not working
10 and at the courthouse ?

11 28) When you prepare transcripts of the recording you make into
12 your equipment, is there a way you verify the content before
13 you pront and send the transcripts ?
14 What is that process ?

15 29) There~~e~~ is a serious discrepany in the trial transcript with
16 regards to the "cross - examination" by defencdants attorney
17 Dave Sanders and Detective Alexander, with regards to several
18 lines and correspondences on pages 517-519 of that recording.
19 Is it possible the transcripts were altered after you ~~e~~prepared
20 them ?

21 30) Is it possible your equipment went unprotected and an alter-
22 ation was made without your knowing ? —

23 31) Did you know the transcripts were altered ?

24 32) Do you know who altered the transcripts ?

25
26 -Final question and i'm sorry for haveng to ask, but it pertains
27 to your equipment and access to this INFORMATION.

30) Did you alter the content of that cross examination between
Detective Alexander and Sanders on PAGES 517~~0~~519 ?