

1 **Andrea C. Wood**
2 **40 Hilldale Court**
3 **Orinda, Cal. 94563**
4 **Tel.: (415) 375-1686**
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6
7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10
11 **ANDREA C. WOOD,**

12 **Plaintiff**

13
14 **v.**

15
16 **COUNTY OF CONTRA COSTA, LOIS**
17 **HAIGHT, KELLIE CASE, EDYTH**
18 **WILLIAMS, MARY P. CAREY, JUDITH**
19 **LAWRENCE, CECELIA GUTIERREZ,**
20 **ERICA BAINS, RAVINDER BAINS, M.D.,**
21 **THOMAS MADDOCK, JOHN DOE and**
22 **JANE DOE**

23
24 **Defendants**

25 **JURY TRIAL DEMANDED**
26

CASE NO.

CV 19 7124
KAW

COMPLAINT

27 **COMPLAINT FOR VIOLATION OF 18 U.S.C. 1961, et seq.**
28
29
30

FILED
2019 OCT 29 A 11:22
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

JURISDICTION

1. This is an action for relief, proximately the result of conduct engaged in by the County of Contra Costa, Lois Haight, Erica Bains, Ravinder Bains, M.D., Kellie Case, Edyth Williams, Judith Lawrence, Cecelia Gutierrez, and Thomas Maddock in violation of 18 U.S.C. 1961, *et seq*,
2. This Court has personal jurisdiction over the Defendants because all factual allegations derive from violations of 18 U.S.C., 1961 *et seq*, and for the sake of judicial expediency, this Court has supplemental jurisdiction over all other claims, brought now or ever, that are so related to claims in the actions of the parties within such original jurisdiction that they form part of the same dispute pursuant to 28 U.S.C. §1367.
3. This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. §§1331 and 1338 (federal question jurisdiction). Jurisdiction is premised upon the Federal defendants' violation of 18 U.S.C. §1961, *et seq*.

VENUE

4. Venue is proper in this district pursuant to 28 U.S.C. §§1391 and 1400 because the bulk of Plaintiff's business is transacted in the County of Contra Costa, California, and for the Defendants that do not, and for the sake of judicial expediency, this Court has supplemental jurisdiction over the Defendants that are so related to claims in the actions of the parties within such original jurisdiction

that they form the Court's jurisdiction is invoked pursuant to 28 U.S.C. §§1331,
1343.

THE PARTIES

5. Plaintiff, Andrea C. Wood (hereinafter "Plaintiff"), is a *sui juris* resident of
Orinda, Cal. residing at:

40 Hilldale Court
Contra Costa County
Orinda, California
+1 (415) 375-1686

6. Federal defendant County of Contra Costa (hereinafter "County") is a county in
the U.S. State of California, covering an area of 716 square miles, consisting of
a population of 1.1 million residents with a principal place of business at:

751 Pine Street
Contra Costa County
Martinez, California 94553
+1 (925) 313-1180

7. Federal defendant Lois Haight (hereinafter "Haight"), sued in her individual
capacity, is a *sui juris* resident of places unknown and is a Superior Court
Judge of the Superior Court of Contra Costa County with a principal place of
business at:

640 Ygnacio Valley Drive
Contra Costa County,
Walnut Creek, California, 94596
+1 (925) 608-1000

77 8. Federal defendant Mary P. Carey (hereinafter “Carey”) is a *sui juris* resident of
78 places unknown and is a preferred attorney in the family courts of Contra Costa
79 County with a principal place of business at:

80 1850 Mount Diablo Boulevard, Suite 670
81 Contra Costa County
82 Walnut Creek, California 94596
83 +1 (925) 943-1843

84 9. Federal defendant, Erica Bains (hereinafter “Bains”), is a *sui juris* resident of
85 Orinda, Cal. residing at:

86 24 Hilldale Court
87 Contra Costa County
88 Orinda, California
89 +1 (925) 258-9390

90 10. Federal defendant Kellie Case (hereinafter “Case”), sued in her individual
91 capacity, is a *sui juris* resident of places unknown and is a Social Worker at
92 Contra Costa County Department of Family & Child Services (“DFCS”) with a
93 principal place of business at:

94 500 Ellinwood Way
95 Contra Costa County
96 Pleasant Hill, California 94523
97 +1 (877) 881-1116

98 11. Federal defendant Edyth Williams (hereinafter “Williams”), sued in her
99 individual capacity, is a *sui juris* resident of places unknown and is a Social
100 Worker at DFCS with a principal place of business at:

500 Ellinwood Way
Contra Costa County
Pleasant Hill, California 94523
+1 (877) 881-1116

12. Federal defendant Judith Lawrence (hereinafter “Lawrence”) is a *sui juris*
attorney for child, HP, with a principal place of business at:

1119 Oakwood Circle
Contra Costa County
Clayton, California 94517
+1 (925) 995-8452

13. Federal defendant, Ravinder Bains, M.D. (hereinafter “Bains, M.D.”), is a *sui juris* resident of Orinda, Cal. residing at:

24 Hilldale Court
Contra Costa County
Orinda, California
+1 (925) 258-9390

14. Federal defendant Cecelia Gutierrez (hereinafter “Gutierrez”), sued in her
individual capacity, is a *sui juris* resident of places unknown and is a Social
Worker at DFCS with a principal place of business at:

500 Ellinwood Way
Contra Costa County
Pleasant Hill, California 94523
+1 (877) 881-1116

126 15. Federal defendant Thomas Maddock (hereinafter “Maddock”), sued in his
127 individual capacity, is a *sui juris* resident of places unknown and is a Superior
128 Court Judge of the Superior Court of Contra Costa County with a principal place
129 of business at:

130 1000 Center Drive
131 Contra Costa County,
132 Pittsburgh, California, 94565
133 +1(925) 608-1000

134 **STATEMENT OF FACTS**
135

136 16. On September 3, 2019, Plaintiff was called into Superior Court to begin the third
137 part of dependency hearings that determine placement of HP and KP (i.e., return
138 HP and KP to home or to terminate Plaintiff’s parental rights.)

139 17. The seminal act occurred on August 17, 2017, when a false report was filed by a
140 neighbor, Federal defendant Erica Bains and condoned by Bains, M.D., with
141 DFCS against the Plaintiff. Since then the Federal defendants Bains have pointed
142 surveillance cameras at Plaintiff’s house in flagrant violation of the Wire Tap Act
143 and the Electronic Communications Privacy Act of 1986, the claims of which
144 may be brought in any Amended Complaint against the Bains defendants.

145 18. While some of the violations of Plaintiff’s Federally protected rights occurred
146 during the DFCS proceedings, many, many more did not but were committed by
147 public officials acting in their individual capacities designed to harm Plaintiff.

the instant action is a Civil RICO claim for damages for the violation of Plaintiff's Federally protected rights under 18 U.S.C 1961, et seq.

19. As further testament to the Bains defendants villainous ways, continuing along on after a one-time donation of \$35,000 to a charitable cause supported by Federal defendant Bains, Bains viewed the Plaintiff as her own personal ATM machine. When the spigot was turned off, Bains concocted her false report and contacted DFCS.

20. Eventually DFCS removed Plaintiff's children.

21. Federal defendant Gutierrez, proceeded to file a malicious Detention Report based on fabricated allegations, with no evidence, using the wrong standard of preponderance of the evidence as opposed to the clear and convincing standard (see *Santorsky v. Kramer* 455 U.S. (1982)) and palmed it off on Federal defendant Lois Haight where they both obstructed justice by proceeding according to documentation that had been ruled unconstitutional.

22. Upon information and belief, Haight hand picks preferred lawyers for indigent Respondents, but not Respondents with the ability to private pay; however, in Plaintiff's case, a private paying Respondent, Haight did hand pick for Plaintiff. Court recommended lawyers who are dependent on court referral business for their livelihood, often do not act in the best interest of the Respondents but rather

167 seek to conspire and collude with the Contra Costa County court, in order to
168 obtain false indications against innocent Respondents to extort court cost monies.

169 23. In the case of Plaintiff, this preferred lawyer was Federal defendant Mary P.

170 Carey, hand selected by Federal defendant Haight. Carey, immediately

171 proceeded contrary to the wishes of Plaintiff.

172 24. The Haight court oftentimes obstructed justice in violation of 18 U.S. C. 1961, *et*

173 *seq.* when she ordered Plaintiff-Respondent into the hallway and Federal

174 defendant Carey would deal on (and quite likely off) the record of court

175 transcripts with Haight which were strongly against Plaintiff's interests.

176 25. Subsequent to the Jurisdictional trial Federal defendant Carey obstructed justice

177 in violation of the Civil RICO statute by blocking Plaintiff's evidence which

178 contributed to the finding of false allegations against Plaintiff.

179 26. On January 9, 2018 Federal defendant Kellie Case testified "not that I recall"

180 when asked "Did HP ever tell you that his mother (Plaintiff) hit him on more than

181 one occasion," prompting a disapproving look from Federal defendant Haight,

182 leading Ms. Case who had already testified, to stumble and say "Can I correct

183 that?" Haight exploded back "What? Yes." Federal defendant Case, followed the

184 Judge's lead, changed her testimony to "Yes, he did" notwithstanding that a

185 moment earlier she attested to no such recollection which obstructs justice in

186 violation of the Civil RICO statute

187 27. Another example of where Federal defendant Haight obstructs justice in violation
188 of the Civil RICO statute and interferes with testimony, is when HP was asked
189 “you have been hit before by your nanny, right.” HP responds, “Yes.” Haight
190 stated “Wait a minute. Wait a minute.” Clearly, Federal defendant Haight was
191 attempting to coach the witness to change his testimony, an obstruction of justice
192 in violation of the Civil RICO statute codified as 18 U.S.C. 1961, *et seq.* which
193 as pled, Plaintiff demands treble damages.

194 28. Plaintiff received a notice in court service reports, that the court wishes to adopt
195 out HP and KP and that Plaintiff would foot the bill. Federal defendant Case
196 indicated to Plaintiff that the Court was intending to bill Plaintiff \$700,000 for
197 court costs where under California law, a Respondent is only required to
198 reimburse the State for the cost of Court appointed lawyers; the State actors
199 extorted Plaintiff when it was said “you will never see your children again,”
200 which violates the Civil RICO statute. Plaintiff did not make use of Court
201 appointed lawyers.

202 29. Federal defendant Haight denied Plaintiff’s right to call a witness.

203 30. In addition to denying Plaintiff her Sixth Amendment right to exercise her choice
204 of counsel and face her accusers, Federal defendant Maddock stated “you make
205 one mention of these matters to the mass media and I am going to have you
206 arrested,” or words to that effect and thereby created a civil conspiracy to

coverup civil racketeering in Superior Court. When Federal defendant Maddock blocked Plaintiff request for transcripts he further created a civil conspiracy to cover up civil racketeering in Superior Court.

31. Haight, Case, Williams, Carey, Lawrence, Gutierrez, the Bains defendants, Maddock, and County portray themselves as unrepentant, recidivist, defamers, famacides, libelers, slanderers, and civil racketeers.

18 U.S.C. 1961, et seq. – LEGAL STANDARD

32. As a result of the above factual pattern, Plaintiff alleges that according to 18 U.S.C. 1961, et seq. (the “RICO Statute”), and shows by a preponderance of the evidence, that there exists a racketeering Enterprise in the County of Contra Costa, California that consists of: County of Contra Costa, DFCS, Superior Court of California County of Contra Costa, Family Court Judges, Preferred Attorneys in Family Court, the County Attorney’s Office, and Attorneys for Children. Plaintiff alleges and shows with a preponderance of the evidence that caseworkers, judges, and lawyers conspire and collaborate to concoct fictitious instances of child neglect contrary to the legal standard for profit.

33. Traditional RICO Statute predicate acts are contained herein and include: (i) witness tampering; (ii) obstruction of justice; (iii) extortion; and (iv), a civil

conspiracy to cover up witness tampering and obstruction of justice. These predicate acts are pled with specificity in the instant action.

34. The RICO Statute contains a provision that allows for the commencement of a civil action by a private party to recover damages sustained as a result of the commission of a RICO predicate offense(s). The RICO Statute also permits a private individual "damaged in his business or property" by a "racketeer" to file a civil suit. The plaintiff must prove the existence of an "enterprise", and Plaintiff proves with a preponderance of the evidence of the existence of such an enterprise among the County of Contra Costa, DFCS, Superior Court of California County of Contra Costa, Court Judges, Preferred Attorneys in Family Court, the County Attorney's Office, and Attorneys for Children. As pled elsewhere in the instant action, the connections among these parties proves the existence of an "enterprise."

35. Plaintiff shows with specificity at least one of four specified relationships between the defendant(s) and the Enterprise: either the defendant(s) invested the proceeds of the pattern of racketeering activity into the Enterprise (18 U.S.C. § 1962(a)); or the defendant(s) acquired or maintained an interest in, or control of, the Enterprise through the pattern of racketeering activity (subsection (b)); or the defendant(s) conducted or participated in the affairs of the Enterprise "through" the pattern of racketeering activity (subsection (c)); or the defendant(s) conspired

246 to do one of the above (subsection (d)). The Enterprise is either the 'prize,'
247 'instrument, 'victim,' or 'perpetrator' of the racketeers. A Civil RICO action can
248 be filed in Federal court.

249 36. The civil component allows the recovery of treble damages (damages in triple the
250 amount of actual/compensatory damages) and by Count One and Judgment
251 Requested, Plaintiff demands treble damages in the amount of Seven Hundred
252 and Fifty Million Dollars (\$750,000,000).

253 **Predicate Act: Witness Tampering**

254 37. 18 U.S. Code § 1512 (b) provides:

255 Witness tampering is the act of attempting to alter or prevent the testimony of
256 witnesses within criminal or civil proceedings. Laws regarding witness
257 tampering also apply to proceedings before Congress, executive departments, and
258 administrative agencies. To be charged with witness tampering in the United
259 States, the attempt to alter or prevent testimony is sufficient. There is no
260 requirement that the intended obstruction of justice be completed.

261
262 38. When Federal defendant Bains coached TP to tell untruths about Plaintiff and
263 that she hit HP, Bains tampers with a witness and Federal defendant Bains, M.D.
264 condones it; fostering HP brings in a great deal of monies for the Bains
265 defendants each month.

266 39. HP reported that the Enterprise coached him to say bad things about Plaintiff –
267 under threats of escalated care – commonly known as Juvenile Hall.

268 40. Federal defendant Case recanted when testifying that HP was hit from “not that
269 I recall” to “Yes, he did” under the watchful eye of Federal defendant Haight.

41. Federal defendant Bains coached TP to report that the Plaintiff hit HP, wrongly blaming Plaintiff for striking the child when in fact it was the nanny, Steffi Guggenbichler, who hit HP; Guggenbichler concealed this to Plaintiff.

42. An unidentified member of the Enterprise, coached KP to say she was hit with a whip, only KP said in testimony said "what whip," or words to that effect.

43. Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to (1) influence, delay, or prevent the testimony of any person in an official proceeding...;

44. 18 U.S. Code § 1512 (c) (2) provides:

Whoever corruptly-otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so...

45. 18 U.S. Code § 1512 (e) provides:

In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

46. 18 U.S.C. § 1515 (3) provides:

the term "misleading conduct" means-knowingly making a false statement; (A) knowingly making a false statement (B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by

294 such statement...(E) knowingly using a trick, scheme, or device with
295 intent to mislead;

296 47. 18 U.S.C. § 1515 (b) provides:

297 (b) As used in §1505, the term "corruptly" means acting with an
298 improper purpose, personally or by influencing another, including
299 making a false or misleading statement, or withholding, concealing,
300 altering, or destroying a document or other information

301 **Discussion**

302 48. The facts of the instant action make it abundantly clear that Federal defendants
303 Haight, Case, and Lawrence knowingly, corruptly persuaded TP, HP and KP and
304 attempted to do so, to engage in false statements that persuaded TP, HP, and KP
305 with the intent to (1) influence, delay, or prevent the testimony of witnesses to
306 aid in the defense of Plaintiff in an official proceeding. Federal defendant's
307 Haight, Case, and Lawrence committed witness tampering under 18 U.S.C.
308 §1512.

309 49. Federal defendants Haight, Case, and Lawrence simply asked TP, HP, and KP
310 to tell less than the whole truth and TP, HP, and KP knew that they were being
311 asked to tell less than the whole truth, therefore Federal defendants Haight, Case,
312 and Lawrence corruptly persuaded the witness and is a violation of the laws, *res*
313 *ipsa loquitur*, and has harmed Plaintiff and the injury was caused by the violation
314 of 18 U.S.C. §§ 1961, *et seq.*

315 **Predicate Act: Obstruction of Justice**

316
317 50. In the Jurisdictional trial, all Federal defendants in this action, especially each
318 of Haight, Case, and Carey began the conspiratorial act of obstructing justice by
319 coaching TP, HP, and KP.

320 51. Federal defendant Gutierrez filed a fictitious, malicious detention report, without
321 evidence, and based on the incorrect standard of the preponderance of the
322 evidence as opposed to the standard of clear and convincing required by the U.S.
323 Supreme Court.

324 52. Federal defendant Haight obstructed justice, and in violation of Sixth
325 Amendment when she denied Plaintiff the right to seek the counsel of her choice
326 that allowed the Federal defendant(s) to invested the proceeds of the pattern of
327 racketeering activity into and fund the Enterprise (see 18 U.S.C. §1962(a)).

328 53. In fact, by implication in the instant action, the Federal defendants meet all four
329 of the specified relationships of par. 61: they funded the Enterprise; the Federal
330 defendants acquired and maintained an interest in the Enterprise through the
331 pattern of racketeering activity; the Federal defendants conducted or participated
332 in the affairs of the Enterprise through the pattern of racketeering activity; and
333 conspired to do one of the aforementioned, *res ipsa loquitur*.

334 54. Plaintiff was removed from the courtroom during the direct examination of HP
335 and KP. Federal defendant Haight refused to allow the cross examination of KP

and threatened Plaintiff; Federal defendant Carey corroborated the position of Haight.

55. 18 U.S. Code § 1503 provides:

Whoever corruptly...endeavors to influence, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice.

56. Federal defendant Williams, on numerous occasions, committed perjury under oath that cast an unwarranted negative light upon Plaintiff, thereby usurping the power of the courts, and resulted in obstruction of justice.

57. On May 23, 2019, Federal defendant Maddock denied Plaintiff's request for transcripts that would have implicated him in a violation of the First Amendment.

Discussion

58. 18 U.S.C. §1515 states:

...the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.

59. Plaintiff states, by the facts of the instant action make it abundantly clear that Federal defendants Haight, Carey, and Lawrence coached HP, at all times relevant thereto, a 12 year old, to untruthfully testify about Plaintiff's sex life that did corruptly endeavor to influence, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice. In doing so,

358 Federal defendants Haight, Case, Carey, and Lawrence committed obstruction of
359 justice under Section 1503.

360 60. Federal defendants Haight, Carey, and Lawrence simply asked HP to tell less
361 than the whole truth and HP knew that he was being asked to tell less than the
362 whole truth, therefore Federal defendants Haight, Case, Carey, and Lawrence
363 corruptly influenced, obstructed, impeded, and endeavored to influence, obstruct,
364 or impede, the due administration of justice and is a violation of the statute, *res*
365 *ipsa loquitur*, and has harmed Plaintiff and the injury was caused by the violation
366 of 18 U.S.C.A. §§ 1961 .

367 **Predicate Act: Extortion**

368 61. On or about March 2018, Federal defendant Case lays claims to \$700,000 in
369 courts costs payable by Plaintiff who believe such costs have risen to between \$1
370 million to \$2 million. Federal defendant Case made it perfectly clear that either
371 Plaintiff would pay the court costs or risk never seeing Plaintiff's kids again.

372 62. Unfortunately, under California law, court costs are limited to reimbursing the
373 State for the cost of a court appointed attorney; As Plaintiff never used a court
374 appointed attorney, purported \$700,000 in costs allowed the Enterprise to invest
375 such sums in the proceeds of the pattern of racketeering activity into and fund the
376 Enterprise (see 18 U.S.C. § 1962(a)).

377 63. Extortion is defined as the obtaining of property from another with his or her
378 consent, by the wrongful use of either force or fear, or under color of official
379 right. The property or right to property must be obtained. This can be either the
380 property itself or the right to it.

381 64. Property rights that can be transferred to constitute extortion.

382 a. The right to prosecute a lawsuit or an appeal;

383 b. Obtaining an official act of a public officer can be the basis of
384 extortion.

385 65. If a person makes an extortionate demand in writing he/she may guilty even
386 if the victim parts with no property.

387 66. Any person who, by use of improper threat, another person's signature on any
388 document gets giving a property right may be charged with extortion even if the
389 property right is never actually obtained.

390 **Discussion**

391
392 67. Plaintiff alleges that the Enterprise is in possession of property of the Plaintiff,
393 purported court costs of at least \$700,000 or she will never see her children, HP
394 and KP again.

395 68. Federal defendant Case induces Plaintiff to provide that property under color of
396 official right; Plaintiff has not paid it yet.

69. Where Plaintiff sees that there has been no progress toward reunification, the implication is that Federal defendants will seek further legal intervention against Plaintiff (termination of parental rights) and directing HP and KP to out of state adoption should Plaintiff not accede to her demands.

Predicate Act: Conspiracy to Cover-up Witness Tampering and Obstruction of Justice

70. 42 U.S.C. § 1985 provides:

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness ... from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to ... to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws.

Discussion

71. It will be established during Discovery that the Federal defendants, *inter alia*, Haight, Carey, Lawrence, and Williams persuaded TP, HP, and KP to make statements of falsehood in certified transcripts that do not lie.

72. In doing so, Haight inspired and provided a mechanism to the Federal defendants to create a conspiracy to cover up witness tampering and obstruction of justice in

her trial proceedings; Haight violated Plaintiff's Sixth Amendment right to face her accusers.

FEDERAL DEFENDANTS LOIS HAIGHT, KELLIE CASE, EDYTH WILLIAMS, CECELIA GUTIERREZ, AND THOMAS MADDOCK ARE NOT ENTITLED TO QUALIFIED IMMUNITY

73. The United States Supreme Court has stated that qualified immunity is the norm, absolute immunity is the exception (*Harlow v. Fitzgerald*, 457 U.S. 750 800, 807, 810-11 (1982)).

74. In Balcerzak, Stephanie E. "Qualified Immunity for Government Officials: The Problem of Unconstitutional Purpose in Civil Rights Litigation. 95, No. 1 (Nov. 1985) pp. 126-147. The Yale Law Journal, the author stated:

In *Harlow*, the Supreme Court fundamentally altered the qualified immunity defense available to an official charged with a constitutional violation in a civil rights action for damages. Under *Harlow*, an official is entitled to immunity unless his conduct violates a "clearly established" constitutional right.

75. All constitutional rights are expressly stipulated and written in the U.S. Constitution, which is the supreme law of the land, meaning that any other laws which are in contradiction with it are considered unconstitutional and thus regarded as invalid.

76. The Fourteenth Amendment to the U.S. Constitution provides:

[N]or shall any State deprive any person of life, liberty, or property, without due process of law.

447 77. Then, while not a constitutional right, but important nonetheless, there is:

448 42 U.S.C. §1983 which provides in pertinent part:

449
450 Every person who, under color of any statute, ordinance, regulation, custom
451 or usage, of any State or Territory or the District of Columbia, subjects, or
452 causes to be subjected, any citizen of the United States or other person within
453 the jurisdiction thereof to the deprivation of any rights, privileges, or
454 immunities secured by the Constitution and laws, shall be liable to the party
455 injured in an action at law, suit in equity, or other proper proceeding for
456 redress.

457
458 78. In *Mirales v. Wako* 502 U.S. 9 (1991), the U.S. Supreme Court stated “...our
459 cases make clear that the immunity is overcome in only two sets of
460 circumstances. First, a judge is not immune from liability for nonjudicial actions,
461 i.e., actions not taken in the judge's judicial capacity. *Forrester v. White*, 484
462 U.S., at 227 -229; *Stump v. Sparkman*, 435 U.S., at 360 [502 U.S. 9, 12] Second,
463 a judge is not immune for actions, though judicial in nature, taken in the complete
464 absence of all jurisdiction. *Id.*, at 356-357; *Bradley v. Fisher*, 13 Wall., at 351.”

465 79. Respectfully, no matter what qualified immunity defense that Federal defendants

466 Haight, Case, Williams, Guitarrez, and Maddock try to employ there is no getting
467 around the Fourteenth Amendment, *Harlow*, §1983, and *Mirales*.

468 80. No matter what road block the State of California tries to erect in Social Services

469 Laws to protect its social workers, the Fourteenth Amendment, *Harlow*, and

§1983 remains to subject every person to its provisions, Supremacy Clause, Article Six, Clause 2 of the U.S. Constitution that establishes the U.S. Constitution, trumps the State laws.

**FEDERAL DEFENDANT LOIS HAIGHT AND THOMAS MADDOCK ARE
NOT ENTITLED TO ABSOLUTE JUDICIAL IMMUNITY.**

81. This Court maybe persuaded that Federal defendants Haight and Maddock are entitled to absolute judicial immunity but, respectfully, Plaintiff requests this Court to think again. In fragrant violation of 18 U.S.C. 1961, *et eq.*, Federal Defendants Haight and Maddock conspired with DFCS and violated clearly established law of which a reasonable judicial officer should have known. *Buckley v. Fitzsimmons*, 509 US 259 at 268.

82. Congress intended to retain well-established common-law immunities when it adopted §1983 in 1871. But even assuming Congress intended to retain the existing common-law immunities, absolute judicial immunity was not the established law in 1871. In fact, the first case affording judges absolute immunity was not decided until 1896. *Brown v. Walker*, 161 U.S. 591 (1896). Congress could not have intended to retain this immunity when it adopted § 1983 because it simply did not exist at that time. Rather, in 1871 judges would have been accorded qualified immunity, not absolute immunity. Thus, the historical argument for absolute judicial immunity is an unfounded myth; therefore, Federal defendant Haight and Maddock are not entitled to absolute judicial immunity.

CONCLUSION

83. As opposed to burdening the District Court by submitting 100 pages of attachments, Plaintiff will supply all that and more in Discovery. Therefore, there are no conclusory statements in the instant action, *res ipsa loquitur*.

COUNT ONE

VIOLATION OF 18 U.S.C 1961, et seq,

(Federal Defendants County of Contra Costa, Lois Haight, Mary P. Carey, Judith Lawrence, Kellie Case, Edyth Williams, Cecilia Gutierrez, Erica Bains, Ravinder Bains, M.D., and Thomas Maddock)

84. Plaintiff repeats and realleges each and every allegation contained in paragraph “16” through “83” as though fully set forth herein

85. As a result of the Defendants’ acts, Plaintiff now suffers and will continue to suffer injury and monetary damages, and that Plaintiff is entitled to damages sustained to date and continuing in excess of the amount of **TWO HUNDRED AND FIFTY MILLION** (\$250,000,000) as well as treble damages, punitive damages, costs, and attorney fees.

WHEREFORE, a judgment is respectfully demanded:

- a. Awarding against the individually named Federal defendant such compensatory damages as the jury may impose, but not less than **TWO HUNDRED AND FIFTY MILLION DOLLARS** (\$250,000,000) plus treble damages;

- b. Awarding against the individually named Federal defendant such
punitive damages as the jury may determine, but not less than such
punitive damages as the jury may impose, but not less than **TWO
HUNDRED AND FIFTY MILLION DOLLARS (\$250,000,000)**;
- c. Permanently enjoining the Federal defendants County of Contra Costa,
Lois Haight, Kellie Case, Edyth Williams, Cecilia Gutierrez, Eric
Bains, Ravinder Bains, and Thomas Maddock from further violation of
violation of 18 U.S. C. 1961, et seq.,
- d. Awarding reasonable attorney's fees and costs; and,
- e. Granting such other and further relief as this Court deems just and
proper.

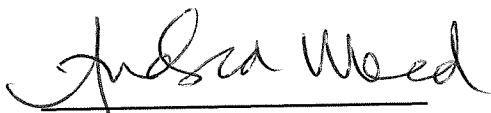
JURY TRIAL IS DEMANDED

Plaintiff demands a trial by jury on all claims so triable.

Dated: October 18, 2019

Orinda, Cal.

For Plaintiff:

A handwritten signature in black ink, appearing to read "Andrea Wood", written over a horizontal line.

Andrea Wood

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EXHIBIT "A"

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