

FILED

2017 MAR 16 PM 1:30

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY: \_\_\_\_\_

1 Daniel Adam Borsotti  
10153 Riverside Drive  
2 Suite 501  
Toluca Lake, California  
3 661-312-3268  
Attornatus Privatus  
4

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10 Daniel Adam Borsotti,	)	Case No. 2:16-cv-16-07603-FMO(JC)
	)	
11 Claimant	)	WRIT OF ERROR
	)	QUAE CORAM NOBIS RESIDANT
12 v.	)	in re ORDER TO STRIKE ELECTRONICALLY
	)	FILED DOCUMENT(S) [DKT. NO. 84];
13 Quality Loan Services	)	ORDER TO SHOW CAUSE
Corporation,	)	
14	)	
15 Defendants	)	
	)	

16 WRIT OF ERROR QUAE CORAM NOBIS RESIDANT

17  
18 1. COMES NOW THE ABOVE ENTITLED COURT OF RECORD SUA SPONTE, TO  
19 REVIEW THE FACTS, RECORD AND PROCESS RESULTING IN THE ORDER  
20 ENTITLED *ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S)*  
[DKT NO. 84] and filed 03-08-2017.

21 I.  
SYLLABUS

22 2. On January 20, 2017, Claimant, as one of the people <sup>1</sup> of the  
23 United States, filed a *FIRST AMENDED ACTION* [DKT NO. 67] in

24 \_\_\_\_\_  
25 <sup>1</sup>“Government: Republican Government. One in which the powers of sovereignty are vested in the people and are  
26 exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are  
specially delegated. In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v. Happersett, 88 U.S. (21  
Wall.) 162, 22 L.Ed. 627.” Black’s Law Dictionary, Fifth Edition, p. 626

28 WRIT OF ERROR QUAE CORAM NOBIS RESIDANT in re  
ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [DKT. NO. 84];  
ORDER TO SHOW CAUSE

1 which he established the above-entitled court <sup>2</sup> as a court of  
2 record. <sup>3</sup>

3 3. On January 25, 2017 this court of record issued sua sponte  
4 *ORDER, MAGISTRATE'S DUTY ASSIGNMENT* [DKT NO. 69], which defined  
5 the duties of the judge. <sup>4</sup>

6 4. On January 27, 2017 the clerk filed the unlawful *ORDER TO*  
7 *STRIKE ELECTRONICALLY FILED DOCUMENT(S)* [DKT. NO. 71]  
8 (Attachment 1) received from the magistrate of the court. In  
9 this instance, the magistrate unlawfully usurped the authority  
10 of the tribunal of the court of record.

11 5. On February 23, 2017 at 1:03 pm, this court of record issued  
12 a *WRIT OF ERROR QUAE CORAM NOBIS RESIDANT* [DKT. NO. 79], which  
13 rescinded DKT. NO. 71. The WRIT also contained an *ORDER TO SHOW*  
14 *CAUSE* giving all parties an opportunity to show cause, if any,  
15 why the WRIT is unlawful.

16 6. At no time did any interested party, magistrate or  
17 otherwise, answer or otherwise respond to the *ORDER TO SHOW*  
18 *CAUSE* [DKT. NO. 79]

19 7. On March 7, 2017, this court of record issued a *RULING, ON*  
20 *DEFENDANT'S MOTION TO DISMISS* [DKT NO. 83] which also contained  
21 an *ORDER TO SHOW CAUSE* giving all parties an opportunity to show  
22 cause, if any, why the ruling is unlawful.

23 8. At no time did any interested party answer or otherwise  
24 respond to the *ORDER TO SHOW CAUSE* [DKT. NO. 83]

25 9. On March 8, 2017 the clerk filed the unlawful *ORDER TO*  
26 *STRIKE ELECTRONICALLY FILED DOCUMENT(S)* [DKT. NO. 84]

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27 <sup>2</sup> 28 USC 132 "CREATION AND COMPOSITION OF district courts. (a) There shall be in each judicial district a  
28 district court which shall be a court of record known as the United States District Court for the district."

COURT. "The person and suite of the sovereign; the place where the sovereign sojourns with his regal retinue,  
wherever that may be." Black's Law Dictionary, 4th Ed., 425, 426

<sup>3</sup> A court of record is, "A judicial tribunal having attributes and exercising functions independently of the person of  
the magistrate designated generally to hold it. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte  
Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689"  
Black's Law Dictionary, 4th Ed., 425, 426.

<sup>4</sup> "MAGISTRATE. A person holding official power in a government; as: a The official of highest rank in a  
government (chief, or first, magistrate). b An official of a class having summary, often criminal, jurisdiction."  
Webster's New Practical Dictionary, 386 (1953), G. & C. Merriam Co., Springfield, Mass.

"MAGISTRATE, an official entrusted with administration of the laws", Merriam-Webster On-Line Dictionary  
"MAGISTRATE, Person clothed with power as a public civil officer. State ex rel. Miller v. McLeod, 142 Fla.  
254, 194 So. 628, 630." Black's Law Dictionary, 4th Ed., 1103

1 (Attachment 2) received from the magistrate <sup>5</sup> of the court. In  
2 this instance, again the magistrate unlawfully usurped the  
authority of the tribunal. <sup>6</sup>

3 10. A basic requirement of a court of record is that the  
4 tribunal must be independent of the magistrate. <sup>7</sup> The magistrate  
5 is not the court, and vice versa. That distinction is noted  
throughout the codes. For examples, see 28 USC 2241 and 28 USC  
2243. <sup>8</sup>

6 11. Because the above-entitled court is a court of record in  
7 which the tribunal must be independent of the magistrate, when  
8 the magistrate issued the ORDER [DKT. NO. 84] (Attachment 2) he  
again usurped the power of the tribunal. <sup>9</sup> The ministerial  
magistrate may not exercise any judicial discretion, which is  
reserved to the tribunal.

9  
10 II.  
IMPEACHMENT AND WRIT

11 12. THE COURT, HAVING REVIEWED THE FACTS, THE RECORD, AND THE  
12 PROCESS BY WHICH THE ORDER [DKT. NO. 84] WAS ISSUED, and finding  
that the magistrate wrote and filed said order without leave of

13  
14 <sup>5</sup> "MAGISTRATE. A person holding official power in a government; as: a The official of highest rank in a  
government (chief, or first, magistrate). b An official of a class having summary, often criminal, jurisdiction."  
Webster's New Practical Dictionary, 386 (1953), G. & C. Merriam Co., Springfield, Mass.

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16 "MAGISTRATE, Person clothed with power as a public civil officer. State ex rel. Miller v. McLeod, 142 Fla.  
254, 194 So. 628, 630." Black's Law Dictionary, 4th Ed., 1103

17 <sup>6</sup> A court of record is, "A judicial tribunal having attributes and exercising functions independently of the person of  
the magistrate designated generally to hold it. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte  
18 Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689"  
Black's Law Dictionary, 4th Ed., 425, 426.

19 <sup>7</sup> "A judicial tribunal having attributes and exercising functions independently of the person of the magistrate  
designated generally to hold it [Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc.  
20 Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689]" Black's Law  
Dictionary, 4th Ed., 425, 426

21 <sup>8</sup> Examples of the codes distinguishing between a court and a judge:

22 28 USC 2241 "(a) Writs of habeas corpus may be granted by the Supreme Court, any justice thereof, the district  
courts and any circuit judge within their respective jurisdictions..."

23 28 USC 2243 "A court, justice or judge entertaining an application for a writ of habeas corpus shall forthwith  
award the writ or issue an order..."

24 <sup>9</sup> A court of record is, "A judicial tribunal having attributes and exercising functions independently of the person of  
the magistrate designated generally to hold it [Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte  
25 Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689]"  
26 Black's Law Dictionary, 4th Ed., 425, 426.

1 court; and finding that the orderly decorum of the court was  
2 replaced by defective impromptu process and usurpation of  
legislative and court powers without leave of court,

3 13. And, finding that the clerk of the court improperly  
4 accepted for filing an order from the magistrate without leave  
of court,

5 14. And, desiring that fair justice be served for all parties,  
6 defendants as well as plaintiff,

7 15. And, on examination of General Orders, Local Rules, and  
8 Case Management Order, this court finds nothing in conflict with  
this court issuing its own order, in particular the *ORDER*  
designated as DKT. NO. 83.

9 16. NOW THEREFORE, THE COURT issues this WRIT OF ERROR QUAE  
10 CORAM NOBIS RESIDANT, to wit:

11 17. The *ORDER* [DKT NO. 84] [Attachment 2] shall be and is  
12 rescinded, i.e. nunc pro tunc, and the *ORDER* [DKT NO. 83] is and  
shall be valid and effective nunc pro tunc as though never  
stricken.

13 III.  
14 ORDER TO SHOW CAUSE

15 18. Further, the magistrate, Claimant, and defendant are each  
16 ordered to file and serve on all other interested parties and  
17 magistrate a brief no later than March 28, 2017 to show cause,  
18 if any there be, to this court why this *ORDER* should not take  
effect or should be modified. Unless requested, there will be  
no oral argument. The court, mindful of the rights of the  
parties and the importance of fair play, will liberally construe  
the written arguments presented.

19 IV.  
20 JUDICIAL COGNIZANCE

21 19. This court takes judicial cognizance of and decrees the  
following as the law of the case:

22 20. JUDICIAL COGNIZANCE. Judicial notice, or knowledge upon  
23 which a judge is bound to act without having it proved in  
evidence. [Black's Law Dictionary, 5th Edition, page 760.]

24 21. Constitution for the United States of America

25 22. Constitution for the United States of America Amendment IV

26 23. Constitution for the United States of America Amendment XIV

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27 WRIT OF ERROR QUAE CORAM NOBIS RESIDANT in re  
28 ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [DKT. NO. 84];  
ORDER TO SHOW CAUSE

1 24. 18 USC 241

2 25. 18 USC 242

3 26. 42 USC 1982

4 27. 42 USC 1983

5 28. 42 USC 1985(3)

6 29. The sovereignty of the state resides in the people  
7 thereof... [California Government Code, Section 100(a)]

8 30. The people of this state do not yield their sovereignty to  
9 the agencies which serve them. [California Government Code,  
Sections 11120 and 54950.]

10 31. Laws, whether organic or ordinary, are either written or  
11 unwritten. [California Code of Civil Procedure, Section 1895.]

12 32. A written law is that which is promulgated in writing, and  
13 of which a record is in existence. [California Code of Civil  
Procedure, Section 1896]

14 33. The organic law is the Constitution of Government, and is  
15 altogether written. Other written laws are denominated  
16 statutes. The written law of this State is therefore contained  
in its Constitution and statutes, and in the Constitution and  
statutes of the United States. [California Code of Civil  
Procedure, Section 1897]

17 34. Any judicial record may be impeached by evidence of a want  
18 of jurisdiction in the Court or judicial officer, of collusion  
19 between the parties, or of fraud in the party offering the  
record, in respect to the proceedings. [California Code of  
Civil Procedure, Section 1916]

20 35. ...at the Revolution, the sovereignty devolved on the  
21 people; and they are truly the sovereigns of the country, but  
22 they are sovereigns without subjects...with none to govern but  
themselves..... [CHISHOLM v. GEORGIA (US) 2 Dall 419, 454, 1 L  
Ed 440, 455 @DALL (1793) pp471-472.]

23 36. The very meaning of 'sovereignty' is that the decree of the  
24 sovereign makes law. [American Banana Co. v. United Fruit Co.,  
29 S.Ct. 511, 513, 213 U.S. 347, 53 L.Ed. 826, 19 Ann.Cas. 1047]

25 37. The people of this State, as the successors of its former  
26 sovereign, are entitled to all the rights which formerly  
belonged to the King by his prerogative. [Lansing v. Smith, 4

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28 WRIT OF ERROR QUAE CORAM NOBIS RESIDANT in re  
ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [DKT. NO. 84];  
ORDER TO SHOW CAUSE

1 Wend. 9 (N.Y.) (1829), 21 Am.Dec. 89 10C Const. Law Sec. 298; 18  
2 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48  
3 C Wharves Sec. 3, 7.]

3 38. A consequence of this prerogative is the legal ubiquity of  
4 the king. His majesty in the eye of the law is always present in  
5 all his courts, though he cannot personally distribute justice.  
6 (Fortesc.c.8. 2Inst.186) His judges are the mirror by which the  
7 king's image is reflected. 1 Blackstone's Commentaries, 270,  
8 Chapter 7, Section 379.

6 39. 28 USC 2241 "(a) Writs of habeas corpus may be granted by  
7 the Supreme Court, any justice thereof, the district courts and  
8 any circuit judge within their respective jurisdictions..."

8 28 USC 2243 "A court, justice or judge entertaining an  
9 application for a writ of habeas corpus shall forthwith award  
10 the writ or issue an order..."

10 40. ....This declaration of rights may not be construed to  
11 impair or deny others retained by the people. [California  
12 Constitution, Article 1, Declaration Of Rights Sec. 24.]

12 41. The state cannot diminish rights of the people. [Hertado  
13 v. California, 110 US 516.]

14 42. The assertion of federal rights, when plainly and  
15 reasonably made, is not to be defeated under the name of local  
16 practice. [Davis v. Wechsler, 263 US 22, 24.]

16 43. Where rights secured by the Constitution are involved,  
17 there can be no rule making or legislation which would abrogate  
18 them. [Miranda v. Arizona, 384 US 436, 491.]

18 44. There can be no sanction or penalty imposed upon one  
19 because of this exercise of constitutional rights. [Sherer v.  
20 Cullen, 481 F 946.]

20 45. Whereas, the people of California have presented a  
21 constitution...and which, on due examination, is found to be  
22 republican in its form of government.... [Act [of Congress] for  
23 the Admission of California Into the Union, Volume 9, Statutes  
24 at Large, Page 452.]

23 46. Republican government. One in which the powers of  
24 sovereignty are vested in the people and are exercised by the  
25 people, either directly, or through representatives chosen by  
26 the people, to whom those powers are specially delegated. [In  
27 re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v.  
28 Happersett, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627." Black's Law  
Dictionary, Fifth Edition, p. 626.]

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WRIT OF ERROR QUAE CORAM NOBIS RESIDANT in re  
ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [DKT. NO. 84];  
ORDER TO SHOW CAUSE

1 47. The State of California is an inseparable part of the  
2 United States of America, and the United States Constitution is  
3 the supreme law of the land. [California Constitution, Article  
3, Sec. 1.]

4 48. This Constitution, and the Laws of the United States which  
5 shall be made in Pursuance thereof; and all Treaties made, or  
6 which shall be made, under the Authority of the United States,  
7 shall be the supreme Law of the Land; and the Judges in every  
8 State shall be bound thereby; any Thing in the Constitution or  
9 Laws of any State to the Contrary notwithstanding.  
10 [Constitution for the United States of America, Article VI,  
11 Clause 2.]

12 49. COURT. The person and suit of the sovereign; the place  
13 where the sovereign sojourns with his regal retinue, wherever  
14 that may be. [Black's Law Dictionary, 5th Edition, page 318.]

15 50. COURT. An agency of the sovereign created by it directly  
16 or indirectly under its authority, consisting of one or more  
17 officers, established and maintained for the purpose of hearing  
18 and determining issues of law and fact regarding legal rights  
19 and alleged violations thereof, and of applying the sanctions of  
20 the law, authorized to exercise its powers in the course of law  
21 at times and places previously determined by lawful authority.  
22 [Isbill v. Stovall, Tex.Civ.App., 92 S.W.2d 1067, 1070; Black's  
23 Law Dictionary, 4th Edition, page 425]

24 51. 28 USC 132 CREATION AND COMPOSITION OF district courts  
25 (a) There shall be in each judicial district a district court  
26 which shall be a court of record known as the United States  
27 District Court for the district.

28 52. COURT OF RECORD. To be a court of record a court must have  
four characteristics, and may have a fifth. They are:

A. A judicial tribunal having attributes and  
exercising functions independently of the person of  
the magistrate designated generally to hold it  
[Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227,  
229; Ex parte Gladhill, 8 Metc. Mass., 171, per  
Shaw, C.J. See, also, Ledwith v. Rosalsky, 244  
N.Y. 406, 155 N.E. 688, 689][Black's Law  
Dictionary, 4th Ed., 425, 426]

B. Proceeding according to the course of common law  
[Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227,  
229; Ex parte Gladhill, 8 Metc. Mass., 171, per  
Shaw, C.J. See, also, Ledwith v. Rosalsky, 244

1 N.Y. 406, 155 N.E. 688, 689][Black's Law  
2 Dictionary, 4th Ed., 425, 426]

3 C. Its acts and judicial proceedings are enrolled, or  
4 recorded, for a perpetual memory and testimony. [3  
5 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas  
6 Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton,  
7 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2  
8 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205,  
9 117 N.E. 229, 231]

10 D. Has power to fine or imprison for contempt. [3  
11 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas  
12 Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton,  
13 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2  
14 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205,  
15 117 N.E. 229, 231.][Black's Law Dictionary, 4th  
16 Ed., 425, 426]

17 E. Generally possesses a seal. [3 Bl. Comm. 24; 3  
18 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24  
19 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v.  
20 U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger  
21 v. Davis, 96 Ohio St. 205, 117 N.E. 229,  
22 231.][Black's Law Dictionary, 4th Ed., 425, 426]

23 53. "The following persons are magistrates: ...The judges of  
24 the superior courts.... [California Penal Code, Sec. 808.]

25 "MAGISTRATE. A person holding official power in a  
26 government; as: a The official of highest rank in a government  
27 (chief, or first, magistrate). b An official of a class having  
28 summary, often criminal, jurisdiction." Webster's New Practical  
Dictionary, 386 (1953), G. & C. Merriam Co., Springfield, Mass.

"MAGISTRATE, an official entrusted with administration of  
the laws", Merriam-Webster On-Line Dictionary

"MAGISTRATE, Person clothed with power as a public civil  
officer. State ex rel. Miller v. McLeod, 142 Fla. 254, 194 So.  
628, 630." Black's Law Dictionary, 4th Ed., 1103

54. ...our justices, sheriffs, mayors, and other ministers,  
which under us have the laws of our land to guide, shall allow  
the said charters pleaded before them in judgement in all their  
points, that is to wit, the Great Charter as the common law....  
[Confirmatio Cartarum, November 5, 1297" "Sources of Our  
Liberties" Edited by Richard L. Perry, American Bar Foundation.]

55. Henceforth the writ which is called Praecipe shall not be  
served on any one for any holding so as to cause a free man to  
lose his court. Magna Carta, Article 34.



1 56. CCP 1209. (a) The following acts or omissions in respect  
2 to a court of justice, or proceedings therein, are contempts of  
the authority of the court:

3 3. Misbehavior in office, or other willful neglect or  
4 violation of duty by an attorney, counsel, clerk, sheriff,  
5 coroner, or other person [e.g. a judge or magistrate], appointed  
6 or elected to perform a judicial or ministerial service;

7 4. Abuse of the process or proceedings of the court,  
8 or falsely pretending to act under authority of an order or  
9 process of the court;

10 5. Disobedience of any lawful judgment, order, or  
11 process of the court;

12 8. Any other unlawful interference with the process or  
proceedings of a court;

13 11. Disobedience by an inferior tribunal, magistrate,  
14 or officer, of the lawful judgment, order, or process of a  
15 superior court, or proceeding in an action or special proceeding  
16 contrary to law, after such action or special proceeding is  
removed from the jurisdiction of such inferior tribunal,  
magistrate, or officer.

17 57. CCP 1211. (a) When a contempt is committed in the  
18 immediate view and presence of the court, or of the judge at  
19 chambers, it may be punished summarily; for which an order must  
20 be made, reciting the facts as occurring in such immediate view  
21 and presence, adjudging that the person proceeded against is  
22 thereby guilty of a contempt, and that he be punished as therein  
23 prescribed.

24 When the contempt is not committed in the immediate view  
25 and presence of the court, or of the judge at chambers, an  
26 affidavit shall be presented to the court or judge of the facts  
27 constituting the contempt, or a statement of the facts by the  
28 referees or arbitrators, or other judicial officers. ...

58. IT IS SO ORDERED.

WITNESS: the SEAL of the COURT this 13<sup>th</sup> day of March, 2017

THE COURT

By Daniel Borsotti (SEAL)  
Daniel: Borsotti  
Attornatus Privatus

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

DANIEL-ADAM BORSOTTI

PLAINTIFF(S)

v.

JAY BRAY, et al.

DEFENDANT(S)

CASE NUMBER

2:16-cv-07603-FMO-JC

ORDER TO STRIKE ELECTRONICALLY FILED  
DOCUMENT(S)

The Court hereby **ORDERS** the documents listed below be **STRICKEN** for failure to comply with the Court's Local Rules, General Orders, and/or Case Management Order, as indicated:

<u>1/25/17</u>	/	<u>69</u>	/	<u>Order</u>
<i>Date Filed</i>		<i>Doc. No.</i>		<i>Title of Document</i>
<u>1/25/17</u>	/	<u>70</u>	/	<u>Order</u>
<i>Date Filed</i>		<i>Doc. No.</i>		<i>Title of Document</i>

Other:  
See General **Order 16-05** for presiding judge information. Parties to an action do not have authority to enter **orders**

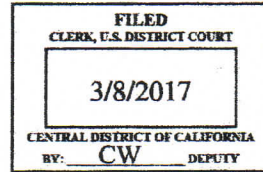
Dated: January 27, 2017

By: /s/ Fernando M. Olguin  
U.S. District Judge

Please refer to the Court's website at [www.cacd.uscourts.gov](http://www.cacd.uscourts.gov) for Local Rules, General Orders, and applicable forms.

G-106 (6/12) ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S)

ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [RESCINDED]  
ATTACHMENT 1



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Daniel Adam Borsotti,	PLAINTIFF(S)	CASE NUMBER:
v.		2:16-cv-07603-FMO-JC
Jay Bray, et al.	DEFENDANT(S).	<b>ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S)</b>

The Court hereby **ORDERS** the documents listed below be **STRICKEN** for failure to comply with the Court's Local Rules, General Orders, and/or Case Management Order, as indicated:

<i>Date Filed</i>	<i>Doc. No.</i>	<i>Title of Document</i>
March 7, 2017	83	Ruling on Defendant's Motion to Dismiss

- Document submitted in the wrong case
- Incorrect document is attached to the docket entry
- Document linked incorrectly to the wrong document/docket entry
- Incorrect event selected. Correct event is \_\_\_\_\_
- Case number is incorrect or missing
- Hearing information is missing, incorrect, or not timely
- Local Rule 7.1-1 No Certification of Interested Parties and/or no copies
- Case is closed
- Proposed Document was not submitted as separate attachment
- Title page is missing
- Local Rule 56-1 Statement of uncontroverted facts and/or proposed judgment lacking
- Local Rule 56-2 Statement of genuine disputes of material fact lacking
- Local Rule 7-19.1 Notice to other parties of ex parte application lacking
- Local Rule 11-6 Memorandum/brief exceeds 25 pages
- Local Rule 11-8 Memorandum/brief exceeding 10 pages shall contain table of contents
- Other: A party may not rule on a motion before the Court.

Dated: March 8, 2017

By: \_\_\_\_\_ /s/ Fernando M. Olguin  
U.S. District Judge

cc: Assigned District and/or Magistrate Judge

Please refer to the Court's website at [www.cacd.uscourts.gov](http://www.cacd.uscourts.gov) for Local Rules, General Orders, and applicable forms.

**ATTACHMENT 2**

**PROOF OF SERVICE BY CERTIFIED MAIL**

I am not a party to this action, and on the Los Angeles County California State. I am over the age of 18 and not a party to the within action. My address is C/o 10153 Riverside Drive Suite 501 Toluca Lake California 91602.

On MARCH 14, 2017, I served the within document(s) as: "WRIT OF ERROR QUAE CORAM NOBIS RESIDANT in re ORDER TO STRIKE ELECTRONICALLY FILED DOCUMENT(S) [DKT. NO. 84]; ORDER TO SHOW CAUSE" and "ATTACHMENT NO. 1 and ATTACHMENT NO. 2" on each interested party in this action as stated below:

Bounlet Louvan Agent Service Process 411 Ivy Street San Diego, California 92101	<del>Jay Bray 6108 LD Lockett Road Colleyville, Texas 76034-6543</del>
Office of Clerk United States District Court Central District California U.S. Courthouse room G 8 Los Angeles California 90012	<del>Jamie Dimon 1185 Park Avenue Apt. 16 L New York, New York 10128 Annia Quintana 2457 Eastridge Loop, Chula Vista, California 91915</del>
<del>Robert Stiles, 5210 Edmondson Avenue Dallas, Texas 75209-5902</del>	McCarthy & Holthus, LLP Melissa Robins Coutts, Mathew B. Learned, 1770 Fourth Avenue San Diego California 92101

By mail: by placing a true copy of the foregoing documents in a sealed envelope addressed as set forth above. I placed each such envelope for collection and mailing following ordinary business practices. I am readily familiar with this practice for collection and processing of correspondence for mailing.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am doing this business on normal daily practice.

Executed on March 14, 2017 at Los Angeles California.

*Barbara Bingham*  
BARBARA BINGHAM

Witness 1.

*Daniel Adam Korsotti*  
Daniel Korsotti

Witness 2.