

**FILE**  
184136

**CITIZEN COMPLAINT**

Attorney General Xavier Becerra  
Office of the Attorney General for the State of California  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, California 94244-2550  
U.S.P.S Certified Mail RRR No.: 7002 0510 0003 4495 3993

November 26, 2019

**Complainant:** Lonnie Glenn Schmidt AZ3544  
CSP Solano 21-3-4L  
2100 Peabody Road  
P.O. Box 4000  
Vacaville, CA 95696

**Complaint concerns:** Superior Court County of Santa Clara and judicial officers and employees thereof. Specifically, Assistant Presiding Judge Theodore C. Zayner and unknown Clerk(s) of the Court (hereinafter "judicial officers"). Office of the District Attorney, Santa Clara County and officers and employees thereof. Specifically, District Attorney Jeff Rosen, Deputy District Attorney Kimberly Connor and District Attorney Criminal Investigator Jamie Gauthier; and, Office of the District Attorney in all remaining 57 counties in California and officers and employees thereof. Specifically, former and incumbent District Attorneys and Deputy District Attorneys (hereinafter "public officers").

**Nature of Complaint:** Imprisonment of Complainant in the jail of the county on a criminal charge without being indicted. Willful and corrupt misconduct in office by the above named judicial and public officers.

**Investigation of matters of criminal nature; presentation by attorney general.**

Whenever the Attorney General considers that the public interest requires, he or she may, with or without the concurrence of the district attorney, direct the grand jury to convene for the investigation and consideration of those matters of a criminal nature that he or she desires to submit to it. Penal Code § 923(a)<sup>1</sup>.

Whenever the Attorney General considers that the public interest requires, he or she may, with or without the concurrence of the district attorney, impanel a special statewide grand jury to investigate, consider, or issue indictments in any matters in which there are two or more activities, in which fraud or theft is a material element, that have occurred in more than one county and were conducted either by a single defendant or multiple defendants acting in concert. § 923(c).

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<sup>1</sup> Undesignated statutory references are to the California Penal Code.

# Superior Court of California County of Santa Clara

191 North First Street  
San José, California 95113  
(408) 882-2700

Chambers of  
HON. THEODORE C. ZAYNER, Assistant Presiding Judge



October 16, 2019

Lonnie Glenn Schmidt  
CDCR #: AZ3544  
CSP Solano 21-3-4L  
P.O. Box 4000  
Vacaville, CA 95696-4000

Re: Citizen Complaint Received October 11, 2019

Dear Mr. Schmidt:

I have received and reviewed your eight-page "Citizen Complaint," which is dated October 2, 2019 and was received by our court on October 11. I have also reviewed the exhibits and attachments which accompany the complaint.

These materials have been forwarded to me for consideration in my role as Assistant Presiding Judge. One of my duties in this capacity is to investigate and respond to complaints of misconduct by our Judicial Officers and Temporary Judges.

Please be advised that I have no authority to overrule or to change a judicial decision by any judicial officer or to attempt to affect the outcome in a particular case pending before another judicial officer. Also, you must independently investigate any appeal remedies you may have to address your conviction and confinement.

The stated basis for your complaint is that you are imprisoned without benefit of indictment or information. On the first page of your complaint, you state that the complaint concerns the Office of the District Attorney, and you specifically reference District Attorney Jeff Rosen, Deputy District Attorney Kimberly Connor and District Attorney Criminal Investigator Jamie Gauthier. You allege willful misconduct in office by these named public officers. You do not claim misconduct by any judicial officer of this Court.

As your submission does not raise any specific complaint about any judicial officer, and does not allege judicial misconduct, I have no authority in this matter. I will take no further action and will consider this matter closed.

Sincerely,

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

Theodore C. Zayner  
Assistant Presiding Judge  
Santa Clara County Superior Court

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ATTORNEY GENERAL

2019 DEC -5 P 3:50

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