

September 7, 2020

Lonnie G. Schmidt AZ3544
CSP Solano 21-3-4L
P.O. Box 4000
Vacaville, CA 95696

Rhonda Skipper-Dotta, Chief Deputy
Board of Parole Hearings
Attn: Nonviolent Parole Review
P.O. Box 4036
Sacramento, CA 95812-4036
U.S.P.S. Certified Mail RRR No.: 7002 0510 0003 4495 3375

Re: Decision Review; Fraud Alert.

Dear Ms. Skipper-Dotta:

On July 9, 2020 I wrote to you on the subject "Alert to illegal convictions and unlawful confinement." I did not receive a response from you.

The purpose of this letter is three-fold:

- 1) to solicit a response from you to your Deputy Commissioner's denial of my Prop. 57 release on parole; based upon your review after considering my rebuttal, the information contained herein, and whether BPH enjoys jurisdiction;
- 2) make personal and intercessory demand for release; and
- 3) give notice of intent to publish BPH statement concerning fraudulent hearings and denials.

Request Prop. 57 Merit Review Denial

On July 24, 2020, your Deputy Commissioner denied my release on parole under Prop. 57. I was served with BPH denial on August 10, 2020 by Legal Records Officer Ms. Batchelor, CSP Solano, Vacaville, CA. This request for review is timely.

The Board of Parole Hearings (BPH), with its bevy of newly hired commissioners, is another sad commentary on the state of California and America. In 2018 and 2019, I was denied release because I "needed to take more self-help classes." So, I enrolled in several and completed them. Never drinking alcohol, never smoking, never doing drugs, the substance abuse classes were not beneficial, so those I skipped.

I enrolled in the only two remaining programs close to my alleged "crime" (Victims Awareness and Criminal Thinking). The week "Victim Awareness" was to begin in January of this year (2020)...two murders on our D-yard occurred. We went into lock-down mode: no classes. We continue in lock-down because of Coronavirus until this date. No classes.

I articulated these facts (no classes) in a declaration under penalty of perjury in my June 25, 2020 letter to BPH.

The Deputy Commissioner's reason for denial? "The inmate should participate in programming that would assist the inmate with criminal thinking and victim impact/awareness." (Case Factor #3-Institutional Adjustment, p.4.) And SUMMARY, p. 4-5: "However, the inmate's issues are not violence. The inmate's issues are with entrenched criminal thinking with a very high level of manipulation and callousness. Until the inmate effectively addresses these criminal aspects of his personality he poses a significant danger of criminal activity to the public." I object to, and reject, this erroneous characterization of myself as untrue and unfounded. I am a child of Almighty God. Each day I am being conformed to the image of Jesus Christ. He is not manipulative, callous nor thinks criminally.

No classes are open or available through CDCR to anybody, and therefore, an impossibility to comply and satisfy a subjective opinion of someone I've never met. And, just WHAT criminal activity does the commissioner have in mind by which I might pose a significant danger to the public? At age 75? Give me a break! Of course she doesn't say.

Where do you get these people? Let's not overlook the fact that the prosecution was illegal in the first place (no indictment or valid information) and no Judgment of Conviction exists to prove an offense, validate CDCR's confinement of my Person or provide jurisdiction for referral to BPH for the above phony "Review on the Merits".

The commissioner apparently got all of her information of the "criminal activity" I was supposedly engaged in (but not charged), from the prosecuting Deputy District Attorney's opposition to my release. Yep, the same one who filed the bogus "Felony Complaint" (a criminal act (Penal Code § 115(a)) in the first instance and illegally prosecuted the case; inasmuch as no such information appears on the Minute Order, Abstract of Judgment, Sentencing Transcripts, Felony Complaint or Information (none of which are signed by a judge) in CDCR Central Files; which of necessity must be derived from a Judgment of Conviction which is NOT in CDCR files nor exists.

The prosecutor, DDA Dean Archibald, put forth his "theory" of the case at trial (5 months), which contains not one scintilla of truth or fact, over my (pro per) objection. So, will the real criminal please stand up?

With Commissioners like this, NO NONVIOLENT person can ever hope to satisfy BPH and see the People's implementation of Proposition 57 bear fruit. Not to mention I meet all CDCR criteria for Coronavirus susceptibility at age 75.

Absent a judgment of conviction in CDCR Central Files any decision by BPH reliance upon Case Factor #1- Current Commitment Offense, is invalid and fraudulent.

For a full legal explanation in layman's terms re the requirement for a written judgment of conviction signed by the trial judge to execute the delivery and confinement of a person in the state's prisons and referral to BPH, see "Under Cover of CORONA" attached hereto and incorporated herein.

Lack of a judgment makes the Abstract of Judgment a fraudulent document...so go ahead BPH and uphold the Commissioner's ridiculous decision and continue business as usual, i.e., to rely on false and fraudulent documents.

Now, with actual notice of fraud, Rhonda Skipper-Dotta, as an attorney and officer of the Court, you know better, and act maliciously and in concert with the perpetrators of the fraud when you ratify and uphold the Deputy Commissioner's decision to deny my release on parole.

And, you commit a crime when, in your official capacity as Chief Deputy, sworn to uphold the law, you fail to take action to remedy the corruption and instead, turn a blind eye to the continuing false imprisonment of thousands of persons. No, no, no, it shall not be. Do not pass go...do not collect your annual \$150,000 salary, kiss your honorable retirement and pension goodbye...go directly to jail!

On the flip side, you now have the opportunity of a lifetime! One of those rare Erin Brockovich moments! You can take the high road paved with honesty and integrity!

Admit the error as being innocently made and publicly vow it will be rectified immediately!

BPH may wish to consider the following steps to a remedy:

Step #1: refuse to accept any more referrals from CDCR without a judgment of conviction in hand.

Step #2: Check the files of all inmates denied parole and reverse your denial of all those for whom no judgment of conviction is found and recommend their immediate unconditional release.

Step #3: Repeat Step 2 for all parolees and if no judgment of conviction is found, notify their parole officers to terminate their parole, forthwith.

Step #4: Issue an apology on behalf of the BPH to all affected persons for the BPH's negligence and offer solid promise of financial compensation to be forthcoming to affected persons in a timely manner.

Step #5: Retain and re-train your Commissioners for the soon coming influx of indicted and imprisoned District Attorneys, Deputy District Attorneys, Judges, Lawmakers, Law Enforcement personnel, Correctional Officers, Staff, government employees and private persons who knowingly participated in the conspiracy to imprison persons under color of law for the past 70 years. Caveat: Provided of course a judgment of conviction is filed by the judge.

PERSONAL DEMAND FOR RELEASE

I, Lonnie Glenn Schmidt, victim aggrieved as one confined in the state's prisons without indictment and without a written judgment of conviction on record or in the Central Files of CDCR as admitted by CDCR Secretary Ralph Diaz August 25, 2020 (see August 17, 2020 Certified Mail letter to Ralph Diaz at www.withoutoneplea.com and incorporated herein by reference) hereby demand that Rhonda Skipper-Dotta, Chief Deputy of BPH produce a certified copy of a written Judgment of Conviction signed by the trial judge of the Superior Court Sacramento County bearing the name Lonnie Glenn Schmidt and ante-dating my receipt by CDCR March 16, 2016 and confinement in the state's prisons: as proof of authority for BPH jurisdiction in my case.

Failure of Chief Deputy Skipper-Dotta to produce a valid, authenticated Judgment of Conviction within 72 hours of BPH's receipt of this demand letter, is Chief Deputy Rhonda Skipper-Dotta's admission that BPH is without authority to deny my release on parole and that CDCR and the Superior Court of Sacramento County - as required by Penal Code Section 2081.5 to maintain case records and provide from those records a judgment of conviction to BPH - violated said statute and do not possess a Judgment of Conviction for any of my cases. And, that the abstracts of judgment (CR-290) contained in CDCR Central Files and case records furnished to BPH under § 2081.5 concerning my case, are false and forged and fraudulent documents which support no judgments and are the documents relied upon by the BPH to evaluate suitability of persons for parole and upon which I was denied parole and by which documents I am now being unlawfully and illegally detained against my will and over my demands for release and, that, as a matter of law, BPH must effect my immediate release by so recommending to the Governor of the State of California and the Secretary of CDCR; for want of authority necessary for BPH to evaluate for parole under Prop. 57, base term complete 3 years ago, or for CDCR to confine my Person.

INTERCESSORY DEMAND FOR RELEASE

Further, inasmuch as I am an American, Native Californian, Captain in the U.S. Army (Reserve) and never released from my oath to defend both state and federal Constitutions against all enemies, foreign (RVN 1967-68) and domestic (injustice in government) and, as a victim aggrieved by unlawful prosecution, conviction, confinement and denial of release on parole for want of indictment, valid information and judgment of conviction, I enjoy standing to intercede and make demand that all persons confined by the Director of CDCR in the state's prisons for whom a Judgment of Conviction cannot be produced from the Inmate's Central file and/or the files of CDCR and whom have been denied parole by BPH having relied on a bogus abstract of judgment for authority - in conjunction with Governor Newsom's June 26, 2020 order and CDCR Secretary Diaz September 1, 2020 admission of lack of authority to confine any person for want of a judgment of conviction (both of which are attached hereto and incorporated herein) - to be immediately processed for release from the state's prisons with no conditions of parole.

NOTICE OF INTENT TO PUBLISH BPH STATEMENT

In the event California Board of Parole Hearings (BPH) led by yourself, Rhonda Skipper-Dotta, Attorney at Law, Chief Deputy, fails to produce a certified copy of the Judgment of Conviction in each of Lonnie G. Schmidt's three cases and recommend the Governor and CDCR to effect the immediate and unconditional release of my person and, publicly announce the eminent unconditional release of other persons - for whom parole was wrongfully denied for want of judgment of conviction and those who are currently on parole of termination of parole status for want of a judgment of conviction - from the state's prisons within **Ten (10) days** of BPH's receipt of this letter, you, Rhonda Skipper-Dotta, Chief Deputy, BPH, agree to the following publication as your personal statement and intentions regarding this matter on behalf of BPH and to its release to the public and to make no objection thereto, to wit:

State of California
Board of Parole Hearings
Rhonda Skipper-Dotta, Chief Deputy
P.O. Box 4036
Sacramento, California 95812-4036

To all Incarcerated Persons Denied Parole and Parolees:

I have recently been made aware that the decisions of the California Board of Parole Hearings (BPH) since its inception have been based upon fraudulent documents, i.e., Abstracts of Judgment for which no Judgment of Conviction is in either CDCR Central Files, the sentencing Court's Clerk's Record or Judgment Docket or is there any evidence that it exists at all.

In simple terms, this means that BPH is now and has been and will continue to be without authority to review for, place on, deny or continue any person on, parole: absent a judgment of conviction being of record and in the Central files of CDCR as required by Penal Code Sections 1207, 1216, 2081.5; California Rules of Court Rule 8.320(b)(8) and Federal Rules of Criminal Procedure Rule 32(k).

Today, I am recommending to Governor Newsom that he exercise emergency powers and commute the sentences of all persons currently incarcerated in the state's prisons for whom BPH has denied parole in times past and to order those persons immediate and unconditional release from CDCR custody and, to terminate the parole status of all persons currently serving a term of parole for whom no judgment of conviction is in CDCR Central files and to order the Secretary of CDCR to implement the release and terminations, forthwith.

Respectfully,

Rhonda Skipper-Dotta, Chief Deputy. End of statement.

NOTICE: Pursuant to Section 69, Subdivision (1)(b) of the Restatement of Contracts where silence or inaction operates as acceptance of the obligation to perform the act set forth above, I now give you every reason to believe and understand that assent by yourself, Rhonda Skipper-Dotta, Chief Deputy of the California Board of Parole Hearings (BPH) ("offeree"), may be manifested by silence or inaction and the offeree by remaining silent and inactive intends to make no objection to the publication of the above statement as though made by offeree in the first person; for reason of the unlawful imprisonment and continuing illegal confinement and denial of release on parole of my person and of those persons similarly situated, that is, those persons for whom no Judgment of Conviction may be found in the Central Files of CDCR necessary to support the Abstract of Judgment furnished BPH from the Central Files and upon which CDCR relies for authority to confine all persons and upon which Offeree and BPH rely to support determination of suitability for, and denial of, parole; and the granting of parole in times past.

NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPAL;
NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENT.

SUMMARY

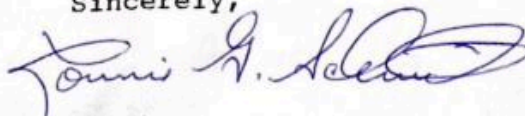
I have presented indisputable evidence that a written judgment of conviction signed by the trial judge is required by law and must be in CDCR's possession to legally confine my person and to give jurisdiction to BPH for parole consideration purposes and, that no such judgment document exists in my case.

In order to sustain BPH allegation of jurisdiction and denial of my release under Prop. 57 or otherwise, I have demanded BPH produce a judgment of conviction for my three cases within **72 hours** of BPH receipt of this Certified Mail letter. Failure to produce a judgment of conviction is an admission that BPH is without jurisdiction to review my case and must take immediate action to secure my release.

I have given notice that in the event BPH fails to publicly respond and take action within **ten (10) days** of BPH receipt of this Certified Mail letter - i.e., effect my release and the release of those persons similarly situated - of my intention to publish the statement of BPH Chief Deputy Rhonda Skipper-Dotta set forth above, as if made in the first person on behalf of BPH, to wit: that BPH is now and has been in times past, without authority to evaluate and deny any person release on parole, for lack of a judgment of conviction being found in CDCR Central Files.

Therefore and otherwise, conduct yourself accordingly.

Sincerely,



Lonnie G. Schmidt

Encl: "Under Cover of CORONA" "CDCR Secretary Ralph Diaz Admits No Authority To Confine Prisoners!" "Immediate Release!"

Cc: Governor Gavin Newsom, CDCR Secretary Ralph Diaz
Chaplain Carl Specht, Chapel of the Good Shepherd
Pastor Dave Patterson, The Father's House