



**CITY OF RIALTO
LIABILITY
CLAIM FOR DAMAGES
TO PERSON OR PROPERTY**

CITY CLERK'S DATE STAMP
CITY OF RIALTO
2026 JAN 22 AM 9:49
RECEIVED
CITY CLERK

1. Claims for death, injury to person, or to personal property must be filed not later than six (6) months after the occurrence (Gov. Code §911.2).
2. Claims for damages to real property must be filed not later than one (1) year after the occurrence (Gov. Code §911.2).
3. READ ENTIRE CLAIM FOR BEFORE FILING
4. ATTACH SEPARATE SHEETS, IF NECESSARY, TO GIVE FULL DETAILS

RETURN TO:
Rialto City Clerk's Office
Mail: 150 S. Palm Ave., Rialto, CA 92376
Address: 290 W. Rialto Ave., Rialto, CA 92376

CLAIMANT INFORMATION:

FULL NAME: James Demetrius John Whangle

DATE OF BIRTH: _____

HOME ADDRESS INCLUDING CITY, STATE & ZIP: 1030 ...

HOME TELEPHONE NO.: _____

BUSINESS ADDRESS INCLUDING CITY, STATE & ZIP: _____

BUSINESS TELEPHONE NO.: _____

ADDRESS AT WHICH CLAIMANT DESIRES TO RECEIVE NOTICES OR COMMUNICATIONS REGARDING THIS CLAIM (if different from home address provided above): 9092 ...

1. WHEN DID DAMAGE OR INJURY OCCUR? DATE: 1/23/25 TIME: _____ AM PM

2. PLACE OF ACCIDENT (OCCURRENCE) BE SPECIFIC - Describe fully and (if applicable) locate on diagram on reverse side of this sheet. Where appropriate, give street names and addresses, measurements and landmarks.
Subway Plaza on Sycamore & Toothill Blvd

3. HOW DID DAMAGE OR INJURY OCCUR?
See attached claim packet

4. WERE POLICE AT THE SCENE? YES NO WERE PARAMEDICS AT THE SCENE? YES NO

5. WHAT PARTICULAR ACT OR OMISSION DO YOU CLAIM CAUSED THE INJURY OR DAMAGES? Give the name of the city/town employee causing the injury or damage, if known.
Police took my vehicle when it was hit on public highway they had no jurisdiction to do so see attached packet

6. GIVE TOTAL AMOUNT OF CLAIM Include estimate of amount of any prospective injury or damage \$ 25,000

HOW WAS THE ABOVE AMOUNT COMPUTED? Be specific, list doctor bills, repair estimates, etc. Please attach 2 estimates.
DAMAGES INCURRED TO DATE: See Packet

Item/Date: _____ Amount: \$ 25,000
Item/Date: _____ Amount: \$ _____

TOTAL AMOUNT CLAIMED AS OF PRESENTATION OF THIS CLAIM:

\$ 25,000

ESTIMATED PROSPECTIVE DAMAGES, AS FAR AS KNOWN:

Item/Date: see packet

Amount: \$ 25,000

Item/Date: _____

Amount: \$ _____

TOTAL ESTIMATED AMOUNT PROSPECTIVE DAMAGES:

\$ 25,000

7. WITNESSES TO DAMAGE OR INJURY List all persons known to have information (attach additional pages, if necessary)

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

TELEPHONE: () _____

TELEPHONE: () _____

8. IF INJURED, PROVIDE NAME, CONTACT INFORMATION AND DATE/TIME DOCTOR(S) OR HOSPITAL(S) VISITED:

NAME: _____

NAME: _____

ADDRESS: _____

ADDRESS: _____

TELEPHONE: () _____

TELEPHONE: () _____

DATE: _____ TIME: _____ AM PM

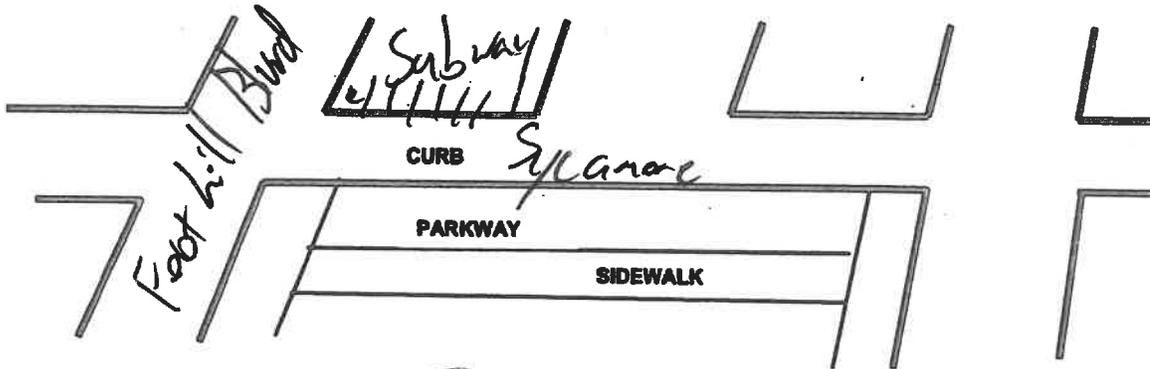
DATE: _____ TIME: _____ AM PM

9. PLEASE READ THE FOLLOWING CAREFULLY:

For all vehicle accident claims, place on the following diagram, the names of streets, including NORTH, EAST, SOUTH AND WEST directions. Indicate place of accident by "X" and by showing house numbers or distances to street corners.

If a city/town vehicle was involved, designate by letter "A" location of the City/Town vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw City/Town vehicle; location of City/Town vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X".

⇒ NOTE: IF THE DIAGRAM BELOW DOES NOT FIT THE SITUATION, PLEASE ATTACH A PROPER DIAGRAM SIGNED BY THE CLAIMANT.



I HAVE READ THE FOREGOING CLAIM AND KNOW THE CONTENTS THEREOF; AND CERTIFY THAT THE SAME IS TRUE OF MY OWN KNOWLEDGE EXCEPT AS TO THOSE MATTERS WHICH ARE HEREIN STATED UPON MY INFORMATION AND BELIEF; AND AS TO THOSE MATTERS I BELIEVE THEM TO BE TRUE.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNATURE OF CLAIMANT OR AGENT

TYPE OR PRINT NAME

RELATIONSHIP TO CLAIMANT

DATE

NOTE: PRESENTATION OF A FALSE CLAIM IS A FELONY (CA PENAL CODE 72)
RETURN CLAIM TO: RIALTO CITY CLERK'S OFFICE - 150 S. PALM AVE., RIALTO, CA 92376

**APPLICATION FOR LEAVE TO PRESENT A LATE
CLAIM
(Government Code §911.4)**

Against: City of Rialto / Rialto Police Department

1. **Claimant Name:** James Demetrius John Wolanyk
2. **Address:**
3. **Phone:**
4. **Email:**
5. **Public Entity Against Whom Claim Is Made:** City of Rialto / Rialto Police Department
6. **Date of Incident:** January 23, 2025 through February 3, 2025
7. **Date Claimant First Knew of Injury/Damage:** January 24, 2025 (court ordered immediate release not carried out)
8. **Date Claimant Was Able to Act on Claim:** February 3, 2025 (date of actual release)
9. **Description of Incident:** On January 23, 2025, I was arrested by the Rialto Police Department on a warrant dated December 13, 2024 for charges I had already served from August 15, 2024 through October 24, 2024 at Wasco State Prison. During the arrest, my 2002 BMW 525i was legally parked on private property at Subway Plaza in Rialto, California. A licensed driver and AAA roadside service were available, but officers refused both options and ordered the vehicle towed. On January 24, 2025, the Superior Court of California granted a Penal Code 1385 motion, dismissed all charges, and ordered my immediate release. Despite this order, San Bernardino County Jail failed to release me until February 3, 2025, unlawfully holding me ten extra days. Because of this illegal detention, I could not retrieve my vehicle, towing and storage fees reached approximately \$3,500, and my vehicle was ultimately lost by auction.
10. **Injuries and Damages:** Unlawful imprisonment for ten days, emotional distress, loss of liberty, financial harm, loss of transportation, and total loss of my vehicle.
11. **Amount of Claim:** \$25,000 or more according to proof.
12. **Reason Claim Was Not Presented Within Six Months:** I was incarcerated during a critical period and lacked access to my records and court documents. After release on February 3, 2025, I faced housing instability and financial hardship and had difficulty obtaining official records, making timely filing impossible.

13. Excusable Neglect / Justification: Delay was due to incarceration and lack of access to records—circumstances beyond my control. I acted promptly once I obtained necessary documents.

14. Lack of Prejudice: The entity is not prejudiced because all facts are documented in its own records (court orders, jail logs, arrest reports, tow records, and bodycam).

15. Relief Requested: Leave to present a late claim under Gov. Code §911.4 and acceptance of the attached tort claim upon approval.

16. Declaration: I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Executed on: 1/22, 2026

At: San Bernardino, California

Signature:

Printed Name: James Demetrius John Wolanyk

GOVERNMENT TORT CLAIM

Claimant Name: James Demetrius John Wolanyk

Address:

Phone:

Claim Against: City of Rialto / Rialto Police Department

Date of Incident: January 23, 2025 through February 3, 2025

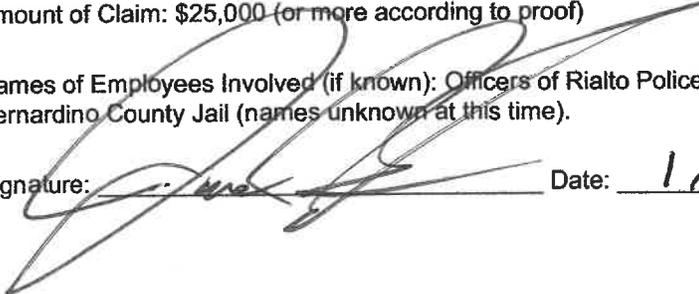
Location of Incident: Subway Plaza, Foothill Blvd & Sycamore Ave, Rialto, CA; San Bernardino County Jail

Description of Incident: On January 23, 2025, I was arrested by Rialto Police Department on a warrant dated December 13, 2024 for charges I had already served from August 15, 2024 through October 24, 2024 at Wasco State Prison. My 2002 BMW 525i was legally parked on private property at Subway Plaza. A licensed driver and AAA roadside service were available, but officers refused both options and ordered the vehicle towed. On January 24, 2025, the Superior Court of California granted a Penal Code 1385 motion, dismissed all charges, and ordered my immediate release. Despite this order, San Bernardino County Jail failed to release me until February 3, 2025, unlawfully holding me ten extra days. Because of this illegal detention, I could not retrieve my vehicle, towing and storage fees reached approximately \$3,500, and my vehicle was ultimately lost by auction.

Injury / Damage Description: Unlawful imprisonment for ten days, emotional distress, loss of liberty, financial harm, loss of transportation, and total loss of my vehicle.

Amount of Claim: \$25,000 (or more according to proof)

Names of Employees Involved (if known): Officers of Rialto Police Department; employees of San Bernardino County Jail (names unknown at this time).

Signature: 

Date: 1/22/25

CLAIM PACKET

Plaintiff: James Demetrius John Wolanyk

Current Address:

Phone:

Claims: Unlawful Over-Detention, Civil Rights Violations, Wrongful Tow and Property Loss
Defendants: San Bernardino County (Jail), City of Rialto, Rialto Police Department, Does
1-50

Key Dates: Arrest 01/23/2025 • Court Order to Release 01/24/2025 • Actual Release
02/03/2025

I. TIMELINE

- 08/15/2024 – 10/24/2024: Plaintiff served time at Wasco State Prison for charges later used in error to issue a warrant.
- 12/13/2024: Warrant issued in error for charges already served.
- 01/23/2025: Arrested by Rialto PD at Subway Plaza (private property) based on invalid warrant; BMW towed.
- 01/24/2025: Court grants PC 1385 motion; orders immediate release.
- 01/24/2025 – 02/03/2025: Plaintiff unlawfully held 10 additional days.
- 02/03/2025: Plaintiff released.
- Tow fees reached ~\$3,500; vehicle auctioned due to inability to retrieve.

II. STATEMENT OF FACTS

On January 23, 2025, Plaintiff James Wolanyk was arrested by Rialto Police Department at Subway Plaza, private property in Rialto, CA, based on a warrant for charges he already served from August 15 to October 24, 2024 at Wasco State Prison.

On January 24, 2025, the Superior Court of California granted a Penal Code 1385 motion, dismissed all charges, and ordered Plaintiff immediately released.

Despite this, jail officials failed to release Plaintiff until February 3, 2025, unlawfully holding him 10 extra days.

Plaintiff's 2002 BMW 525i was legally parked on private property. A licensed driver and AAA service were available, but officers refused these options and ordered a tow, causing loss of the vehicle.

III. LEGAL CLAIMS

- False Imprisonment / Over-Detention

- Civil Rights Violations (42 U.S.C. §1983)
- Wrongful Seizure and Conversion
- Negligence

IV. DAMAGES

Unlawful Detention: 10 days x \$1,000–\$3,000/day = \$10,000–\$30,000

Vehicle Loss: Estimated \$4,500–\$6,500

Emotional and Financial Harm: \$3,000–\$10,000

Conservative Demand: \$20,000; Strong Settlement Range: \$25,000–\$40,000+

V. WHERE TO FILE

Government Claim / Late Claim:

- San Bernardino County Risk Management, 385 N. Arrowhead Ave, San Bernardino, CA 92415
- City of Rialto, 150 S. Palm Ave, Rialto, CA 92376

Civil Case After Denial: San Bernardino County Superior Court – Civil Division

Federal Civil Rights Case: U.S. District Court, Central District of California – Riverside Division

DECLARATION OF JAMES DEMETRIUS JOHN WOLANYK

I, James Demetrius John Wolanyk, declare:

1. I am the owner of a 2002 BMW 525i, _____, California license plate 4VMH284.
2. On January 23, 2025, I was arrested by officers of the Rialto Police Department at Subway Plaza in Rialto, California.
3. My vehicle was legally parked on private property and was not a hazard.
4. A licensed driver and AAA roadside service were available, but officers refused both options.
5. Officers ordered my vehicle to be towed. I was never given tow papers or impound notice.
6. My vehicle was taken by Pepe's Towing at the direction of Rialto Police Department.
7. I was ordered released by court on January 24, 2025 but held until February 3, 2025.
8. Because of this illegal detention I could not retrieve my vehicle.
9. Fees reached about \$3,500 and the vehicle was lost by auction.

I declare under penalty of perjury under the laws of California that this is true.

Executed on: 1/22/2025 At: San Bernardino, California

Signature: _____ James Demetrius John Wolanyk



EXHIBITS – PART 1

Images supporting licensed driver availability, VIN, and vehicle condition.

Exhibit 1

Exhibit 2

Exhibit 3



Exhibit 4



Exhibit 5



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO**
Rancho Cucamonga District
8303 Haven Avenue
Rancho Cucamonga, CA 91730
www.sb-court.org

PORTAL MINUTE ORDER

Case Number: MSB24012513

Date: 1/24/2025

Case Title: People of the State of California vs. JAMES DEMETRIUSJOHN WOLANYK

Videos - Rancho Cucamonga

Date: 1/24/2025

Time: 10:30 AM

Video Arraignment

Charges: HS11364(A)-M, VC14601.1(A)-M, VC22350-I, VC16028(A)-I

Commissioner: Arthur Benner II
Judicial Assistant: Mary Murawa
Court Reporter: Teresa Borje CSR# 11383
Bailiff: D Woolley
Minutes updated by Veronica Holler

Appearances

District Attorney Leonard Chang present
Public Defender Harry Gobrecht present
Defendant present in custody- present in County Jail (via video)

Attorney Information

Public Defender Appointed

Proceedings

Defendant Arraigned on Complaint
Defendant Advised of Rights

Motion

Motion Court's PC1385 Motion GRANTED

Dismissal

As to Count 001. HS11364(A)-M: Possess Controlled Substance—Instrument/Paraphernalia, a Disposition of Dismissal/Stricken - PC1385 Interest of Justice is entered.

As to Count 002. VC14601.1(A)-M: Drive While License Suspended/Revoked, a Disposition of Dismissal/Stricken - PC1385 Interest of Justice is entered.

As to Count 003. VC22350-I: Speeding - Max Speed Limit, a Disposition of Dismissal/Stricken - PC1385 Interest of Justice is entered.

As to Count 004. VC16028(a)-I: No Evidence of Financial Responsibility/Vehicle, a Disposition of Dismissal/Stricken - PC1385 Interest of Justice is entered.

Custody Status

Defendant released from custody- Case Dismissed

== Minute Order Complete ==

Court Access Portal

Superior Court of California - County of San Bernardino

Case Summary (MSB24012513)

01/17/2026 06:21:42

MSB24012513

The People of the State of California
vs.
JAMES DEMETRIUSJOHN WOLANYK

Case Information

Case Type:	Misdemeanor
Case Number:	MSB24012513
Citation Number:	
Filing Date:	10/4/2024
Case Status:	Closed
Court Location:	San Bernardino
Judicial Officer:	Steve C Malone
Next Hearing:	

Case Flags

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Demographic Information

Date of Birth	
Race:	
Sex:	
Height:	#Error
Weight:	
Hair Color:	
Eye Color:	
DL #:	
FBI #:	
State ID:	

Address

Street Name:	
City:	
State:	
Zip:	

Court Access Portal

Superior Court of California - County of San Bernardino

Case Summary (MSB24012513)

01/17/2026 06:21:42

Alias(s) / Nickname(s)

JAMES WOLANK

JAMES DEMETRIUS WOLANYK

WOLANYK, JAMES D

WOLANYK, JAMES DEMETRIUSJOHN

Cross Reference

Parties

Type	Name	Status
Plaintiff	The People of the State of California	Active
Defendant	WOLANYK, JAMES DEMETRIUSJOHN JAMES WOLANK JAMES DEMETRIUS WOLANYK WOLANYK, JAMES D	Active

Attorneys

Representing	Name
JAMES DEMETRIUSJOHN WOLANYK	Public Defender

Events

File Date	File Type	Filed By
1/24/2025	Defendant Arraigned on Complaint	
1/24/2025	Waiver of Personal Presence	
1/24/2025	Defendant released from custody- Case Dismissed	
1/24/2025	Defendant Advised of Rights	
1/24/2025	Motion	
Comment:	Court's PC1385 Motion GRANTED	
10/4/2024	Amended Citation Notice Attached To Citation.	
10/4/2024	Sesslin Affidavit filed	

Court Access Portal

Superior Court of California - County of San Bernardino

Case Summary (MSB24012513)

01/17/2026 06:21:42

Hearings

Department	Judge	Court Reporter	Type	Date	Time	Result
Videos - Rancho Cucamonga	Lough, Michael	Kappos CSR#14246, Whitney	Video Arraignment	1/24/2025	10:30AM	Held
Department S6O - Outdoor Court	Agron, Joel	Reported or Recorded, Not	Arraignment: amended cite/sess	12/10/2024	8:30AM	Failed to Appear

Arrest Information

Count	Statute	Report Num	Agency	Arrest Date	Booking Num	Booking Agency	Jurisdiction

Court Access Portal

Superior Court of California - County of San Bernardino

Case Summary (MSB24012513)

01/17/2026 06:21:42

Charges Disposition & PLEAS

Count	Date	Details	Citation #	Jurisdiction
001	5/14/2024	HS11364(A)-M: Possess Controlled Substance-- Instrument/Paraphernalia		Redlands
	Plea:	-		
	Dispositions:			
	Date	Disposition		
	1/24/2025	Dismissal/Stricken - PC1385 Interest of Justice		
002	5/14/2024	VC14601.1(A)-M: Drive While License Suspended/Revoked		Redlands
	Plea:	-		
	Dispositions:			
	Date	Disposition		
	1/24/2025	Dismissal/Stricken - PC1385 Interest of Justice		
003	5/14/2024	VC22350-I: Speeding - Max Speed Limit		Redlands
	Plea:	-		
	Dispositions:			
	Date	Disposition		
	1/24/2025	Dismissal/Stricken - PC1385 Interest of Justice		
004	5/14/2024	VC16028(a)-I: No Evidence of Financial Responsibility/Vehicle		Redlands
	Plea:	-		
	Dispositions:			
	Date	Disposition		
	1/24/2025	Dismissal/Stricken - PC1385 Interest of Justice		

Financial Transactions

Total	\$0.00	Total Balance:	\$0.00
Date	Charges	Payments	Credits
Total	\$0.00	\$0.00	\$0.00

Court Access Portal

Superior Court of California - County of San Bernardino

Case Summary (MSB24012513)

01/17/2026 06:21:42

Bonds

Type	Description	Posted Date	Set Date	Amount

Related Cases

Case Number	Case Type	Case SubType	Description	Comments