

## CITY OF RIALTO LIABILITY

# CLAIM FOR DAMAGES TO PERSON OR PROPERTY

CITY CLERKS DATE STAMP

2023 MOV 16 AM11:50

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:	
Deara morales for 23 D Logistics	DATE OF BIRTH
	DATE OF BIRTH
HOME ADDRESS INCLUDING CITY, STATE & ZIP	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):	
1. WHEN DID DAMAGE OR INJURY OCCUR? DATE: 7/5/23 TIM	E: 5:23 DAM & PM
2. PLACE OF ACCIDENT (OCCURRENCE) BE SPECIFIC - Describe fully and (if applicable) locate Where appropriate, give street names and addresses, measurements and landmarks.  Please see httached sheets for full damage and claims.  3. HOW DID DAMAGE OR INJURY OCCUR?	etplanation of
4. WERE POLICE AT THE SCENE?   YES NO WERE PARAMEDICS AT THE SCENE?  5. WHAT PARTICULAR ACT OR OMISSION DO YOU CLAIM CAUSED THE INJURY OR DAMAGemployee causing the injury or damage, if known.	1905 T
6. GIVE TOTAL AMOUNT OF CLAIM Include estimate of amount of any prospective injury or damage HOW WAS THE ABOVE AMOUNT COMPUTED? Be specific, list doctor bills, repair estimates, etc. P	\$ 3,845, 60 Please attach 2 estimates.
DAMAGES INCURRED TO DATE:	
Item/Date:	Amount: \$
Item/Date:	Amount: \$

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8. IF INJURED. PRO	/IDE NAME, CONTAC	INFORMATION AND	DATE/TIME DOCTOR	R(S) OR HOSPITAL(S) V	SITED:
	TIME:				☐ AM ☐ PM
		,	IION, PLEASE ATTAC	H A PROPER DIAGRAM	SIGNED BY THE CLAIMANT.
	7 /	CURB	/ /	A PROPER DIAGRAM	SIGNED BY THE CLAIMANT.

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10/12/2023 R & D Logistics



#### DEMAND LETTER TO RIALTO POLICE DEPARTMENT

RE: vehicle report dated 7/5/23 FILE NO 932307397

On the afternoon of July 5th, 2023, Robert Nunez parked Tractor/Trailer on Rialto Street at approximately 3:32 PM. However, to his surprise, he realized the Tractor/Trailer was towed. The notice was written at 4:34 PM, which contained falsified information claiming that his commercial vehicle had been parked on the city street since Sunday, indicating a violation of parking regulations. Semi Tractors are regulated by Federal Regulations which require the vehicles to be equipped with Electronic Log Tracking Devices and as such there is proof the vehicle was not parked for more than an hour and 2 minutes before the towing began. There was no citation issued prior to towing. Furthermore, the truck was equipped with cameras which has some serious concerning footage.

Upon closer examination of the area where Robert parked the semi-truck, it becomes evident that there were no signs prohibiting parking in that specific location. In fact, the report itself mentions there are signs stating "No Parking Commercial Vehicles/ Trailers over 10,000 lbs anytime on all city streets. Violators will be subject to fine and tow away" however this is also false as there are no signs specifying such restrictions related to parking commercial vehicles or trailers over 10,000 lbs on city streets near the warehouse where he was parked. The absence of such signage raises concerns about the basis for issuing the impound and points to a potential violation of Robert's constitutional rights.

Furthermore, the officer involved in this incident allowed the tow company to forcibly enter the semi-tractor and drive it away as can be seen on the video footage, despite lacking information regarding the driver's possession of a commercial driver's license or experience in operating such vehicles. This action disregards the principle of due process and potentially violates Robert's Fourth Amendment rights, which protect against unreasonable searches and seizures.

Additionally, it is worth noting that the billing for the towing services was conducted improperly. The documents were falsified twice, once for the truck and once for the trailer, falsely indicating that the equipment was towed separately. In reality, the Electronic Log in the semi as well as the video footage demonstrate that the tow company only spent approximately 20 minutes from the time they turned on the engine to when they turned it off. This manipulation of records and overbilling for services raises concerns about potential fraud or constitutional violations and what appears to be a scheme between Rialto PD and Pepe's Towing. It should also be noted that the footage shows the Police officer waiting for the tow company in front of Pepe's Tow Yard which is not common practice.

To further substantiate these claims, video footage captured the entire area where Robert parked his vehicle, showing the entrances and the absence of signs indicating potential towing. While there are "no parking" signs on the street, there is a lack of signage within the parking area itself. This lack of clear notification raises questions about the legitimacy of the towing action and the violation of the constitutional principle of due process.

Additionally, Video footage observed certain suspicious interactions between Officer N. Sanchez and the tow company known as Pepe's Tow. At 5:27 PM, the video footage appears to show a transaction taking place between the police officer and the tow company employee. Although the footage is grainy, careful examination reveals the tow person retrieving something from his pocket, leaning into the police car, and the officer leaning forward, possibly taking something from the tow person and stowing it away. Further investigation should be conducted to determine the nature of this interaction and its potential implications.

Moreover, at 5:30 PM, the driver of the towed vehicle is seen celebrating and making derogatory remarks, indicating a lack of familiarity and competence in driving the truck.

Lastly, at 5:33 PM, the driver carelessly damages the truck while attempting a U-turn, going over a curb without regard for the equipment's well-being. This reckless behavior further supports the argument that the driver was not adequately skilled in operating the vehicle, which raises questions about the officer's decision to allow an inexperienced individual to drive the tractor.

In conclusion, the facts presented in this case point to several potential constitutional violations, including violations of the Fourth Amendment's protection against unreasonable searches and seizures, the due process rights protected by the Fourteenth Amendment, and the right to proper notice and signage in accordance with the First Amendment. These violations are reflected in the falsification of information, improper billing practices, potential collusion between law enforcement and the tow company, and the lack of clear notification regarding parking restrictions. Further investigation is necessary to determine the extent of these violations and ensure that appropriate actions are taken to rectify any constitutional infringements that may have occurred.

ZOZJ NOV 16 AHII: 51

Due to Potential Police Misconduct - Official Corruption:

The video footage capturing a transaction between the police officer and the tow company raises suspicions of official corruption. Although the video may not provide definitive evidence, further investigation is warranted to determine if any illegal activities occurred, such as bribery or collusion. Any involvement of public officials in such misconduct would constitute a breach of the public trust and undermine the integrity of the criminal justice system.

In light of the facts presented to you, this is a demand letter:

To be reimbursed the cost of the tow bill issued by Pepe's Towing: \$1062.00

The storage fees issued by Rialto PD: \$433.60

Lost Wages and damages: \$2350.00

Investigation into officer N Sanchez and Pepe's Towing.

Please Issue Payment of \$ 3,845.60

within 10 days to

R & D Logistics

Receipt of payment for damages will be considered the full and final settlement which releases any further liability by Rialto Police Department for the events that occurred on 7/5/23 as mentioned above. Robert Nunez, R and D Logistics, and registered owners of the vehicles towed forfeit any future claims against the Rialto Police Department.

Should receipt of payment not be made, I reserve the right to file legal action against the Rialto Police department, Officer N. Sanchez, and anyone who knowingly participated in the above mentioned constitutional violations and potential fraud.

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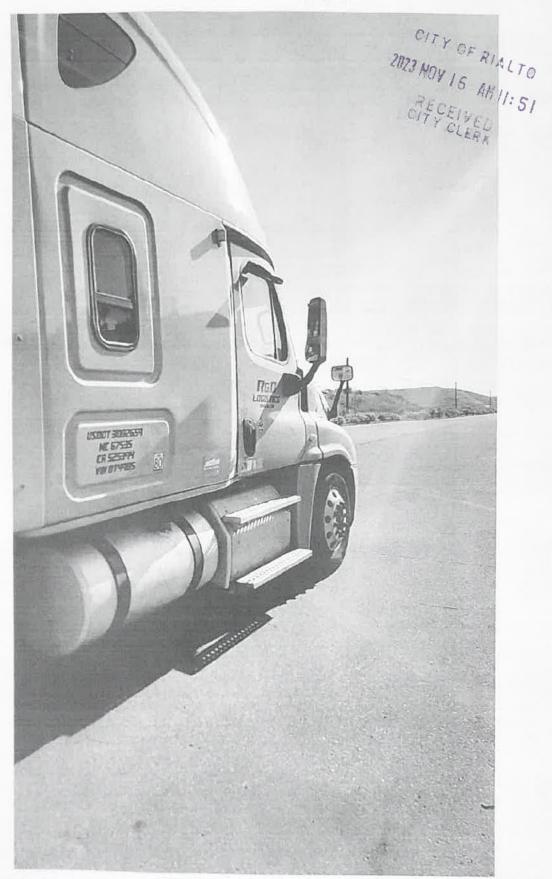
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City of Rialto POLICE 150 S Palm Ave Rialto, CA 92376-6487 +1 (909) 820-2525 City of Rialto 2023 MOV 16 AM 11:51

07/06/2023 09:48AM 000017-0001 PD24-000000014 Payment Effective Date 07/06/2023

### MISCELLANEOUS

Vehicle Release Fee (529833)

2024 Item: 629833

2 @ \$216.8000

Valnole Release Fee

(629833)

Payment Id: 184

\$433.60

\$433.60

Subtotal \$433.60 Total \$433.60

SHIDIT CARD \$433.60

Change due \$0.00

Thank you for your payment COSTOMER COPY

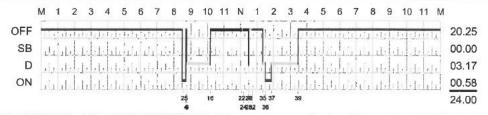


#### **DRIVER'S DAILY LOG**

JSA Property 70 hour / 8 day

Log Date: July 05, 2023 Print Date: July 06, 2023

Nunez, Robert ID robertnunez1975	Co-Drivers	The second secon
	Exempt Driver	0
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1) 101 mi	Engine Hours	1) 35770.1 - 35776.4
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R & D Logistics (2457703)		- 148
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2	On Duty	8:31:13 AM	12 min 18 sec	Rancho Cucamonga, CA			019	OF E
3	Engine Power Up	8:39:00 AM	_	Rancho Cucamonga, CA	35770.1 (0)	1,297,536	019	Notes Of Buty
4	Driving	8:43:31 AM	26 sec	Rancho Cucamonga, CA	35770.1 (0.1)	1,297,536	019	
5	Off Duty	8:43:57 AM	2 min 41 sec	Rancho Cucamonga, CA	35770.1 (0.1)	1,297,536	019	. Mathematica and a comment of the
6	Driving	8:46:38 AM	1 hr 24 min 53 sec	Rancho Cucamonga, CA	35770.2 (0.1)	1,297,536	019	2
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9	Data Diagnostic	9:44:35 AM			35770.2	1,297,536	019	
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4	Data Diagnostic	10:01:44 AM	1.8.1		35770.2	1,297,536	019		
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16		10:11:31 AM	1 hr 54 min 8 sec	Buena Park, CA	35771.6 (1.5)	1,297,579 (42)	019		Eat some
17	Data Diagnostic	10:20:29 AM	7.5		35771.6	1,297,579	019		
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19	Data Diagnostic	11:57:34 AM		20 (2020) 194 (1940) 1	35771.6	1,297,579	019		
20	Data Diagnostic	12:02:52 PM			35771.6	1,297,579	019		
21		12:05:39 PM		Buena Park, CA	35773.5 (3.4)	1,297,579 (42)	019	***************************************	
22	Off Duty	12:05:39 PM	5 min 49 sec	Buena Park, CA	35773.5 (3.4)	1,297,579 (42)	019		Eat som
23	SDS Cleared	12:11:28 PM		Buena Park, CA	35773.6 (3.5)	1,297,580 (43)	019		
24	Off Duty	12:11:28 PM	18 min 57 sec	Buena Park, CA	35773.6 (3.5)	1,297,580 (43)	019		
25	Engine	12:13:13 PM	*	Buena Park, CA	35773.6 (3.6)	1,297,580 (43)	019		
26	Engine Power Up	12:28:26 PM		Buena Park, CA	35773.6 (0)	1,297,580	019	and the same of th	
27	Driving	12:30:25 PM	14 sec	Buena Park, CA	35773.7 (0)	1,297,580	019		
28	Off Duty	12:30:39 PM	1 min 12 sec	Buena Park, CA	35773.7 (0)	1,297,580	019	AND DESCRIPTION OF THE PERSON	Go ti pla
29		12:31:51 PM	101	Buena Park, CA	35773.7 (0.1)	1,297,580	019		
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31	SDS Cleared	12:42:02 PM	-	Buena Park, CA	35773.9 (0.2)	1,297,582 (1)	019		
32	Off Duty	12:42:02 PM	39 min 7 sec	Buena Park, CA	35773.9 (0.2)	1,297,582 (1)	019		
33	Engine Shutdown	12:46:55 PM	-	Buena Park, CA	35773.9 (0.3)	1,297,582 (1)	019		
34	Engine Power Up	1:20:30 PM	-	Buena Park, CA	35773.9 (0)	1,297,582	019		
35	Driving	1:21:09 PM	9 min 20 sec	Buena Park, CA	35773.9 (0)	1,297,582	019		
36	On Duty	1:30:29 PM	22 min 32 sec	Buena Park, CA	35774.1 (0.2)	1,297,585 (2)	019		
37	Driving	1:53:01 PM	1 hr 35 min 7 s	ec Buena Park, CA	35774.5 (0.5)	1,297,585 (2)	019		
38	Int Location	on2:53:03 PM	-	4.8 mi NE of Eastvale, CA	35775.5 (1.5)	1,297,625 (42)	019		
39	Off Duty	3:28:08 PM	8 hr 31 min 52 sec	Rialto, CA	35776.1 (2.1)	1,297,640 (57)	019	water secondarios and an area	
40	Engine	3:32:23 PM	TO THE	Rialto, CA	35776.1 (2.2)	1,297,641 (57)	019	A-	+100

- truck was not partied since Sunday

41	Engine Power Up		-	Rialto, CA	3 <mark>577</mark> 6.1	1,297,641	019	R tow
42	Engine Shutdown	,5:39:03 PM	-	Rialto, CA	35776.4 (0.3)	1,297,642 (1)	019	2
43	Cert	Jul 06 10:23:46 AM	-				019	***************************************
44	Cert	Jul 06 10:37:57 AM	-				019	1

or company illegally semi drove semi wi Police outhorization

			Unidentif	fied Events				
lo.	Status	Start (PDT)	Duration	Location	Engine (elapsed)	Odo (accum.)	CMV	Notes
Ğ	Data Diagnostic	5:20:28 PM			35776.1	1,297,641	019	
2	Driving	5:28:36 PM	7 min 26 sec	Rialto, CA	35776.3 (0.1)	1,297,641	019	
3	Data Diagnostic	5:39:03 PM			35776.4	1,297,642	019	23
			Re	сар				×
	<b>6/28</b> 1.13			<b>7/01</b> 0.00	7/02 0.00 Restart	7/03 5.62		7/04 0.00 Restart

				Recap			9
<b>6/28</b> 1.13	<b>6/29</b> 7.82	9	<b>6/30</b> 5.94	<b>7/01</b> 0.00	7/02 0.00 Restart	<b>7/03</b> 5.62	7/04 7 0.00 Restart
Total Hours Sind	e Restart	0.00					
Hours Available	Today	70.00					**************************************
Hours Worked T	odav	3.75				ENERGY WATER PRODUCTION OF THE SECOND	

	Odometers										
Vehicle	Start	End	Distance								
019	1,297,536	1,297,536	0 mi	VANCOUS CONTRACTOR INC. SOCIETY							
019	1,297,536	1,297,579	43 mi								
019	1,297,579	1,297,580	1 mi								
019	1,297,580	1,297,580	0 mi								
019	1,297,580	1,297,582	2 mi	THE PARTY OF THE P							
019	1,297,582	1,297,585	3 mi								
019	1,297,585	1,297,640	55 mi								

I hereby certify that my data entries and my record of duty status for this day are true and correct

**Driver Signature** 

Reason for Impound

**VIN Number** 

License Plate

Towed from

Stored at

Model

Drivable

Keys

PEPES "TONING" SERVICE 2775 N LOCUST AVE RIALTO, CA. 92377-4111 909-574-1490

#### Pepe's Towing Service

PO Box 7450, Moreno Valley CA 92552 Phone: (951) 682-5682 | Fax: (951) 682-5030

# Impound Invoice

Printed 7/6/2023

\$80.00

\$887.50 \$0.00

\$887.50

SALE

REF#: 00000005

10:24:37

Chip

\*\*/\*\*

EZ

Batch #: 070 07/06/23

Inv/Tkt #: 15776 APPR CODE: 867285

Trace: 5 AMEX

\*\*\*\*\*\*\*\*\*\*1019

AMOUNT

\$1,062.00

3025 CROOKED CREEK RD DIAMOND BAR CA 91765

23-0705-15776 15776 932307397

932307397 RIALTO PD 7/5/2023 5:23 PM

7/5/2023 5:23 PM 7/5/2023 5:24 PM 7/5/2023 5:29 PM 7/5/2023 5:40 PM

7/5/2023 6:53 PM 7/5/2023 5:40 PM Ernie V.

TRK 61

7/6/2023 10:22 AM

1 days

Phone:9097276455

22651-N NO PARKING BY CITY ORDINANCE

2013 Freightliner Cascadia (Gray)

Yes

No

CASMALIA ST AND ALDER AVE RIALTO

Rialto Yard

2775 N Locust, Rialto CA 92377

BION 16 BILLTO **APPROVED** Quantity Price Line Total 1 \$80.00 \$80.00 Storage: Daily Impound Rate Quantity Price Line Total AMERICAN EXPRESS AID: A000000025010801 1 \$95.00 \$95.00 TVR: 00 00 00 80 00 1.5 RT (price per hour) \$475.00 \$712.50 TSI: E8 00 **Towing Subtotal** \$807.50

THANK YOU

CUSTOMER COPY

\$0.00 / Paid Amount Due: Visa payment (Ref # CC 1019[TB:R]) of \$887.50 applied on 7/6/2023

Storage - Storage Fees Subtotal

Subtotal

Taxes **Grand Total** 

Pepe's Towing Service appreciates your business; if you have any questions regarding this invoice, please contact us at 951-682-5682. Thank you. Damage Disclaimer: I Have been advised that my vehicle may be damaged if winched, towed, unlocked, jump started, tire changed or left on unattended premises. I recognize the difficulty involved and I agree not to hold Pepe's Towing Service responsible for such damages should it result. I, the undersigned do hereby certify that I am legally authorized and entitled to take possession of the vehicle described and all personal property therein. I have received the vehicle and all personal property in satisfactory condition.

Signature:	Date:
24 4 1 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	CA# 117/22 LISDOT: 1005004

Upon request, you are entitled to receive a copy of the Towing and Storage Fees and Access Notice

#### **Pepe's Towing Service**

23-0705-15775

15775

932307397

932307397

RIALTO PD

7/5/2023 5:23 PM

7/5/2023 5:23 PM

7/5/2023 5:23 PM

7/5/2023 5:29 PM

7/5/2023 5:41 PM

7/5/2023 6:53 PM

7/5/2023 5:41 PM

7/6/2023 10:22 AM

Ernie V.

**TRK 61** 

1 days

PO Box 7450, Moreno Valley CA 92552 Phone: (951) 682-5682 | Fax: (951) 682-5030

# Impound Invoice

Phone:9097276455

Printed 7/6/2023

	J) 3 (C
Towing	g Service
, sed To	ROBERT NUNEZ
Avoice #	

3025 CROOKED CREEK RD DIAMOND BAR CA 91765

Reason for Impound **VIN Number** 

Model License Plate

Drivable

Keys Towed from Stored at

2013 STOUGHTON TRAILER (White)

22651-N NO PARKING BY CITY ORDINANCE

Yes No

NORTH CASMALIA AVE AND ALDER

Rialto Yard

2775 N Locust, Rialto CA 92377

Call # Case # Case # Account Date/Time Requested Date/Time Dispatched Date/Time Arrived to scene: Date/Time Towing Time: Date/Time Destination Arrival: Date/Time Completed: Date/Time Impounded: Driver Truck

Date/Time Released: Days Held in Impound

Notes TRAILER GOES WITH CALL 15776

\*\*PENDING 180\*\*

Shares charges	Quantity	Price	Uline Total
Storage charges (Storage - Storage Fees) Impounds/Storage: Daily Impound Rate	1	\$80.00	\$80.00
Towing charges	Quantity	Price	Line Total
(Towing) Admin Fee	1 Storag	\$95.00  Towing Subtotal e - Storage Fees Subtotal	\$95.00 \$95.00 \$80.00
		Subtotal Taxes Grand Total Amount Due:	\$175.00 \$0.00 \$175.00 \$0.00 / Paid

Visa payment (Ref # CC 1019[TB:R]) of \$175.00 applied on 7/6/2023

Pepe's Towing Service appreciates your business; if you have any questions regarding this invoice, please contact us at 951-682-5682. Thank you. Damage Disclaimer: I Have been advised that my vehicle may be damaged if winched, towed, unlocked, jump started, tire changed or left on unattended premises. I recognize the difficulty involved and I agree not to hold Pepe's Towing Service responsible for such damages should it result. I, the undersigned do hereby certify that I am legally authorized and entitled to take possession of the vehicle described and all personal property therein. I have received the vehicle and all personal property in satisfactory condition.

Signatura	Date:		
Signature:	CA# 117433 USDOT: 1005094		

Upon request, you are entitled to receive a copy of the Towing and Storage Fees and Access Notice

SPECIFE



# USPS GROUND ADVANTAGE TH

Deana Morales R & D Logistics 2611 W Calle Vista Dr Rialto CA 92377-3618

0001

SHIP TO: Rialio City Clard's Office 150 S Palm Ave Rialto CA 92370-6406

USPSTRACKING #



9400 1112 0620 4889 7449 85