SUPPLEMENTAL FORENSIC REPORT - PHASE II

INSTITUTIONAL SELF-PROTECTION, RECORD CONTROL, AND THE REASONABLE LIKELIHOOD OF AN UNFAIR TRIAL IN RIVERSIDE COUNTY

People v. Levi Grant MacKenzie | Riverside Superior Court No. MIIN2504643

Purpose: Penal Code section 1033 venue analysis; preservation, conflict, and trial-integrity assessment

Source cutoff: August 18, 2026

Method: Court records, first-person declarations, service and delivery proof, and agency correspondence

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> CENTRAL DETERMINATION
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> **Riverside County's trial-protection mechanisms have already been tested in the same functions now required for Levi's defense. The current case reproduces the reported record, filing, service, security, evidence, and conflict failures in real time. Transfer outside Riverside County is the necessary structural condition for a fair trial.**

EXECUTIVE DETERMINATION AND TRIAL-INTEGRITY ALERT

The present conclusion

The material assembled for Phase II supports a direct conclusion: there is a reasonable likelihood that Levi Grant MacKenzie cannot obtain a fair and impartial trial in Riverside County because the local mechanisms required to protect that trial have already been tested, repeatedly placed on notice, and reproduced the same adverse failure modes in the pending criminal case. The risk is not confined to one judicial officer. It reaches the county systems that control assignment, disqualification, filing access, minute creation, court security, public-record searches, evidence custody, prosecution, and appointed defense.

This is not a prediction based on atmosphere. It is an evidence-based assessment of performance. Across proceedings involving family law, child support, domestic violence, unlawful detainer, courthouse service, and the present misdemeanor prosecution, the recurring sequence is: a source-specific defect is identified; a filing, objection, or notice invokes a corrective safeguard; the institution controls the decisive records; no transparent source-level reconciliation is communicated; an adverse procedural or coercive response follows; and the challenged official act remains operative. Personnel and case type changed. The Riverside tribunal remained the constant.

The pending prosecution is the controlling test. Levi anticipated the authority and record-integrity problem at his July 16, 2026 arraignment. He states that he expressly refused stipulation, requested that the refusal be preserved, requested outside assignment or venue relief, and attempted to submit supporting material. The court's minute nevertheless states that the parties stipulated to a judge pro tem or commissioner. That opposite recital remains uncured. The surrounding case then produced additional first-person accounts of obstructed personal service, disposal of disqualification papers by a participating public defender, threats of arrest by court security, clerk obstruction of proof-of-service filing, retention of a filing packet without a stated filing basis, and a second cluster of arrest threats while threshold challenges remained unresolved days before trial. (Sources SG-2 and SG-3.)

The legal consequence does not depend on proving every historical event beyond a reasonable doubt. Penal Code section 1033 is preventive. It asks whether a fair and impartial trial can be had in the county, not whether the defendant first survives a compromised trial and later proves actual prejudice. Penal Code section 1033; Frazier v. Superior Court (1971) 5 Cal.3d 287, 293-294; Maine v. Superior Court (1968) 68 Cal.2d 375, 383-384; Martinez v. Superior Court (1981) 29 Cal.3d 574, 578-579; Odle v. Superior Court (1982) 32 Cal.3d 932, 942-943.

The current record satisfies that standard. Transfer is the structural remedy that removes the adjudication of the charge from the county institutions whose conduct, records, personnel, and responses are material defense subjects. A new Riverside courtroom or a last-minute substitution of one local judicial officer does not separate the trial from those systems. It changes one node while leaving the evidence custodians, security witnesses, prosecutorial relationships, local defense conflicts, filing channels, and corrective hierarchy intact.

The institutional finding

The record demonstrates an accountability asymmetry that operates as a protective loop:

1. A litigant must object immediately or risk forfeiture.
2. The objection depends on records controlled by the challenged institution.
3. The institution need not disclose a source comparison, preservation inventory, or completed investigation before continuing.
4. The challenged official entry retains practical force.
5. The absence of an institutional finding is then treated as absence of proof.
6. The litigant must seek relief through another component of substantially the same local system while consequences continue.

That loop cannot lawfully become both shield and sword. Institutional control of the proof cannot shield the institution from review and then be used as a sword against the person denied access to the proof. A wrongdoer may not take advantage of the wrong. (Civ. Code, section 3517.) The law requires a remedy for every wrong (section 3523), prefers substance over form (section 3528), treats as done what ought to have been done (section 3529), and treats as certain what can be made certain (section 3538). These maxims reinforce, rather than replace, the governing statutes and constitutional safeguards.

Principal findings

1. Levi was not the constant across the historical events. He was at different times a child, an affected household member, a petitioner, a witness, a process server, an arrestee, and now an accused person. In several events he had no control over the filing, ruling, or official record. Recurrence despite changing roles materially rebuts a litigant-caused explanation.
2. The present criminal case independently reproduces the core defects. Levi's express non-stipulation and request for an accurate record were followed by an official stipulation recital. Threshold disqualification and filing processes then generated additional reported obstruction and coercion.
3. The response pattern is not mere silence. The assembled record shows affirmative adverse response: strikes, transfers without source correction, contrary certifications, muting or access restriction, filing obstruction, disposal of served papers, threats of arrest, arrest, prosecution, and compressed trial posture.
4. Riverside judicial officers and court administration received repeated notice of commissioner-status, temporary-judge, stipulation, record, access, and preservation disputes. The Sheriff and Public Defender received subject-specific notices. Receipt evidence includes court filings, proofs of service, certified-mail material, message headers, and agency-generated acknowledgments. (Sources SG-4 through SG-10.)
5. No produced record shows a neutral, completed, communicated investigation that reconciled the principal source conflicts before adverse consequences became effective.

6. The Sheriff's categorical no-responsive-email representation regarding Rule 2.816 is facially in tension with sender-preserved messages addressed to Sheriff accounts and agency-generated acknowledgments contained in the public-record packet. The agency controls the custodians, search protocol, retention systems, and internal routing needed to resolve that conflict. (Source SG-10.)
7. The courthouse security nexus is direct. Levi and Grant describe repeated threats tied to service, filing, and objection activity. Levi's December 2023 sworn affidavit predates the April 2025 arrest and present prosecution and describes a bailiff declaring that served papers would go to the trash and ordering him never to return. The later events therefore did not create the fear; they escalated a documented pattern. (Sources SG-9 and SG-11.)
8. The local public-defense issue is concrete, not categorical. Levi may need appointed counsel, but his defense may require counsel to investigate courthouse personnel, challenge local court records, examine agency notice, and litigate an incident in which a participating public defender is alleged by Grant to have removed personally served disqualification papers from the service location and discarded them. Appointment from the ordinary local channel cannot cure the problem without an independent conflict assessment and a documented separation from the implicated offices and actors.
9. The resulting catch-22 is constitutionally material. If Levi fully presents his defense, he must expose and impeach county actors who have already exercised control over his access, record, liberty, prosecution, and potential representation. If he self-censors, he abandons evidence relevant to motive, credibility, lawfulness, retaliation, and reasonable doubt. If he seeks a local remedy, he returns to the same protective loop.
10. The section 1033 motion is timely for good cause under California Rules of Court, rule 4.151. Material venue facts matured after the ordinary ten-day period, including the July 16 record conflict, subsequent assignment, August disqualification filings and service efforts, unresolved response periods, filing obstruction, court-security threats, and trial compression.
11. Seeking a lawful county for trial does not concede a continuance or waive speedy-trial rights. Any delay imposed by the court must be separately justified, attributed, limited, and placed on the record under Penal Code sections 1050 and 1382. The county-created threshold problem cannot be used as a shield against review and a sword attributing the resulting delay to Levi.
12. Section 1033 relief is the natural result of the evidence, not a discretionary accommodation. Once the county's relevant safeguards are themselves material subjects of the defense and have failed in real time, a Riverside trial would force Levi to submit the truth of his defense to the same institutional machinery he must challenge to present it.

I. PURPOSE, SCOPE, AND EVIDENCE METHOD

A. Purpose

This Supplemental Forensic Report, Phase II, evaluates whether the tested performance of Riverside County's trial-protection mechanisms supplies a dependable basis for trying People v. Levi Grant MacKenzie, No. MIIN2504643, in Riverside County. It is designed to support a focused Penal Code section 1033 motion, guide immediate preservation and conflict review, and provide a source-controlled record for independent administrative or agency investigation.

The historical proceedings are not offered as collateral appeals. They are operational case studies. Each tests one or more functions necessary to a fair criminal trial: lawful authority, informed stipulation, accurate records, filing access, meaningful objection, independent review, evidence preservation, court security, counsel loyalty, and corrective response. The present prosecution supplies the current control test.

B. Attribution rules

This report states each proposition at the level supported by its source:

- "The court record states" identifies a minute, register, order, filing, or docket entry.
- "Grant states" identifies Grant William MacKenzie's first-person account of conduct he personally observed or performed.
- "Levi states" identifies Levi Grant MacKenzie's first-person account or sworn declaration.
- "The transmission record shows" identifies a sent-message header, certified-mail proof, service proof, automated acknowledgment, or agency response.
- "The reviewed production contains no identified record" means no such record was located in the materials reviewed; it does not permit the custodian to rely on an undisclosed internal process as a cure.

First-person evidence is evidence. A declaration made from personal knowledge is not disqualified merely because the institution has not investigated it. The appropriate response to a material, testable account is prompt preservation, witness identification, source comparison, findings, and correction where required. Failure to perform those acts does not sanitize the reported conduct.

C. Evidentiary categories

The report relies on four integrated categories:

1. Court-generated records: minutes, registers, orders, case summaries, filing stamps, assignment notices, and appellate dispositions.
2. First-person evidence: verified accounts and declarations by Levi, Grant, and other identified witnesses.

3. Notice and delivery proof: proofs of service, certified-mail material, message headers, distribution lists, automated acknowledgments, and agency correspondence.
4. Controlled-source conflicts: circumstances in which an institution possesses the routing, assignment, clerk, security, evidentiary, or correction records needed to confirm or refute a precise dispute.

The strength of the Phase II inference comes from convergence. Court records identify the official act. First-person evidence identifies the disputed event. Notice records establish institutional opportunity to act. The absence of a disclosed source-level cure leaves the challenged act operational. Later events reproduce the same failure mode.

D. The applicable burden is not "prove the enterprise first"

The venue court should not require Levi to prove every actor's motive or every historical violation as a condition of receiving constitutional protection. That would invert the preventive purpose of section 1033. The relevant inquiry is whether the documented totality creates a reasonable likelihood that a fair and impartial trial cannot be had in Riverside County.

The report uses "institutional compromise" to describe a functional condition: local systems necessary to a fair trial are materially implicated in the defense, possess decisive evidence, and have repeatedly failed to provide transparent correction after notice. Proof of a single agreement among every actor is unnecessary. A network can produce a structurally unfair result through aligned incentives, record dependence, deference, non-investigation, and repeated adverse response even when individual motives differ.

II. GOVERNING LEGAL ARCHITECTURE

A. Penal Code section 1033 is preventive and mandatory when its threshold is met

Penal Code section 1033 directs that the court "shall order" a change of venue on the defendant's motion when there is a reasonable likelihood that a fair and impartial trial cannot be had in the county. California Rules of Court, rule 4.151 requires supporting declarations and permits filing within ten days of trial on a showing of good cause.

Frazier explains that "reasonable likelihood" is less demanding than a more-probable-than-not showing. (Frazier, supra, 5 Cal.3d at pp. 293-294.) Maine emphasizes that change of venue prevents the harm of undergoing an unfair trial; appellate reversal after the fact is only palliative. (Maine, supra, 68 Cal.2d at pp. 383-384.) Martinez directs that pretrial doubt concerning the necessity of removal be resolved in favor of venue change. Odle confirms that the court must independently evaluate the totality rather than treat any single factor as dispositive. (Martinez, supra, 29 Cal.3d at pp. 578-579; Odle, supra, 32 Cal.3d at pp. 937-943.)

Publicity cases supply common applications, not an exclusive category. The statutory text addresses the ability to obtain a fair trial in the county. Here the county-based risks reach the adjudicator, courthouse security, local agency witnesses, prosecution environment, appointed-defense channel, access to evidence, creation of the record, and the local mechanisms that would review those subjects.

B. An impartial tribunal is a structural prerequisite

Due process requires a neutral decision maker and protects against an objective probability or appearance of bias that exceeds constitutional limits. (In re Murchison (1955) 349 U.S. 133, 136; Caperton v. A.T. Massey Coal Co. (2009) 556 U.S. 868, 876-887; Rippo v. Baker (2017) 580 U.S. 285, 287; Williams v. Pennsylvania (2016) 579 U.S. 1, 8-14.) The question is not confined to a judge's subjective assurance of fairness. It includes whether the institutional circumstances would cause a reasonable person to doubt the tribunal's ability to adjudicate matters in which its own practices, personnel, or prior participation are material.

Code of Civil Procedure section 170.1, subdivision (a)(6)(A)(iii), requires disqualification when a person aware of the facts might reasonably entertain a doubt that the judge could be impartial. Section 170.3 prescribes the statement-and-answer procedure. Section 170.4 limits action after a disqualification statement to the acts authorized by statute. Those procedures are threshold safeguards, not optional administrative details.

C. Filing access is a ministerial safeguard

California Rules of Court, rule 2.118 provides that the clerk must not refuse a paper for filing solely because it does not comply with applicable filing rules, subject to specified exceptions and later correction. Voit v. Superior Court (2011) 201 Cal.App.4th 1285 holds that a clerk may not exercise unauthorized judicial screening and that filing access is necessary to court access. Rojas v. Cutsforth (1998) 67 Cal.App.4th 774 and Carlson v. Department of Fish & Game (1998) 68 Cal.App.4th 1268 likewise reject clerk action that effectively adjudicates filing validity without judicial authority.

This principle is especially important for a section 170 statement and proof of service. Filing and service trigger statutory duties and deadlines. A clerk or security intervention that prevents the paper from entering the docket does not prove untimeliness; it creates the very access defect the record must reflect and remedy.

D. Official records must reflect what occurred

Courts possess inherent and statutory authority to correct clerical error so their records conform to the actual proceeding. (People v. Mitchell (2001) 26 Cal.4th 181, 185.) That authority becomes a duty of trial integrity when a party expressly objects, requests preservation, and the resulting minute states the opposite position.

The ordinary presumption that official duty was regularly performed is rebuttable. (Evid. Code, section 664.) It cannot be used to suppress contrary court records, declarations, or proof of filing and service. Evidence Code sections 412 and 413 permit the factfinder to consider the party's ability to produce stronger evidence and conduct relating to suppression, fabrication, or concealment. Evidence Code section 500 allocates burdens; it does not authorize an institution to withhold uniquely controlled evidence and demand that the litigant recreate it.

E. Disclosure and preservation duties reach the prosecution team

Due process requires disclosure of favorable and material evidence. (Brady v. Maryland (1963) 373 U.S. 83, 87.) The prosecutor's responsibility extends beyond evidence personally known to the trial deputy to favorable evidence known by others acting on the government's behalf in the case. (Kyles v. Whitley (1995) 514 U.S. 419, 437-438.) Penal Code section 1054.1, subdivision (e), separately requires disclosure of exculpatory evidence, and section 1054.5 provides enforcement remedies.

Official incident materials, dispatch information, courthouse access data, security assignments, witness communications, complaint records, and agency correspondence may bear on lawfulness, credibility, notice, motive, retaliation, and impeachment in a Penal Code section 148 prosecution. Preservation is independently governed by due process principles concerning evidence with apparent exculpatory value and potentially useful evidence. (California v. Trombetta (1984) 467 U.S. 479, 488-489; Arizona v. Youngblood (1988) 488 U.S. 51, 57-58.)

F. Bailiff and witness entanglement is a constitutional concern

A criminal trial cannot tolerate relationships that place influential courtroom officers in a position to affect the jury while serving as material prosecution witnesses. Turner v. Louisiana (1965) 379 U.S. 466, 473-474 found structural prejudice where key witnesses maintained continuous association with jurors. Parker v. Gladden (1966) 385 U.S. 363, 364-366 likewise recognizes the constitutional danger created by prejudicial bailiff influence.

The present issue is broader than juror contact. Riverside court-security personnel are alleged participants in the arrest, prior service obstruction, filing threats, and current courthouse access. They may be witnesses and evidence custodians while their colleagues control courtroom security. A venue analysis must address that institutional role before trial, not after a juror or defendant is exposed to it.

G. Public-record compliance and criminal disclosure are separate but convergent

The California Constitution directs that statutes advancing public access be broadly construed. (Cal. Const., art. I, section 3, subd. (b).) Government Code sections 7922.500 and 7922.535 require prompt assistance, a determination within the statutory framework, and a response identifying whether responsive records will be disclosed. City of San Jose v. Superior Court (2017) 2 Cal.5th 608 confirms that public business does not lose its public character because it is routed through a personal account. A public-record response cannot be insulated from testing when sender copies and agency acknowledgments identify a concrete mismatch.

Public-record compliance is not a substitute for Brady, Kyles, or Penal Code section 1054.1. A no-record response may therefore create two separate concerns: whether the public search was adequate and whether favorable information was preserved and disclosed through the criminal process. City of Gilroy v. Superior Court (2026) 19 Cal.5th 38 recognizes judicial review of public-record compliance while distinguishing the Act's disclosure duties from a free-standing retention regime. That distinction makes preservation through the criminal case more important, not less.

H. Institutional conflict requires independent assessment

People v. Eubanks (1996) 14 Cal.4th 580, 590-599, applying Penal Code section 1424, explains that institutional interests can create a disabling conflict when they render it unlikely the defendant will receive fair treatment. The same functional inquiry informs, without predetermining, the need for independent prosecutorial or counsel review here.

An indigent defendant is entitled to loyal, conflict-free representation. (Holloway v. Arkansas (1978) 435 U.S. 475, 481-484; Cuyler v. Sullivan (1980) 446 U.S. 335, 345-350; Wheat v. United States (1988) 486 U.S. 153, 159-164.) Where counsel may need to investigate the same local agencies, office contacts, court records, and courtroom conduct that created the present venue claim, a documented conflict screen and genuine institutional separation are required.

I. Speedy trial and venue are distinct rights

Penal Code section 1382 establishes California's statutory speedy-trial protection. Penal Code section 1050 requires a fact-specific good-cause showing for continuance, findings on the record, and only the delay justified by the circumstances. A section 1033 motion identifies the lawful place for trial. It does not, by itself, authorize an open-ended continuance or waive the statutory clock.

Levi may preserve both positions: Riverside County is not a fair trial forum, and delay created by unresolved disqualification, filing obstruction, or venue adjudication is not consented to or automatically attributable to him. The court must decide venue promptly and separately justify any delay it imposes.

III. THE INSTANT CASE: REAL-TIME REPLICATION OF THE REPORTED SYSTEMIC DEFECT

A. April 30, 2025: court service, arrest, and the prosecution nexus

Levi and Grant state that the April 30, 2025 event arose while they were attempting court-related service concerning Judge Kristi Kirk and previously reported judicial issues. Levi states that courthouse security personnel intervened, his liberty was taken, and the event became the basis of the current Penal Code section 148(a)(1) prosecution. The arresting bailiff and other court-security personnel are therefore not distant public employees. They are material participants and potential witnesses in a case now being administered by the courthouse system with which they work. (Source SG-11.)

That connection gives the historical evidence immediate trial relevance. The defense may need to address the lawfulness and clarity of commands, the actors' prior notice, the context of protected service and petitioning, the credibility of official accounts, preservation of agency-controlled evidence, and whether conduct was escalated because the service challenged judicial personnel. Those subjects place local court-security relationships and records within the merits of the prosecution.

The event also closes the remedial loop. The MacKenzies' prior reports alleged obstruction and threats during service of judicial disqualification papers. The later attempt generated arrest and prosecution. The county now proposes to adjudicate that prosecution through local actors and systems implicated by the defense theory. Transfer would not decide the merits; it would create the necessary separation for deciding them.

B. July 16, 2026: express non-stipulation followed by an opposite official recital

Levi's verified account and Grant's declaration describe a deliberately controlled arraignment. Levi arrived with a prepared statement, asked about the capacity in which Commissioner James F. Hodgkins would act, expressly refused stipulation, requested recusal and outside assignment, requested accurate preservation of his objection, and offered supporting material. He did not voluntarily select a plea; the court entered a not-guilty plea and set the matter for pretrial and trial. (Sources SG-2 and SG-3.)

The court's same-day minute states: "Counsel/Parties stipulate the Judge Pro Tem/Commissioner, as indicated above, may hear this matter." That recital is the opposite of Levi's sworn account and of the warning he states he made before the minute existed. The record also contains standardized recitals concerning advisements, proceeding without a reporter, and election to proceed that Levi specifically disputes.

This is the Phase II control test. The legal nuances surrounding implied stipulation, general participation, commissioner subordinate duties, or the entry of a not-guilty plea cannot supply affirmative stipulation after an express refusal. Levi's stated refusal terminated that factual route. The issue then became record integrity: why did the official minute memorialize the opposite, who selected the field, what review occurred, and why was no correction entered after specific notice?

The present case therefore validates the First Report in real time. The venue court need not accept every historical thesis to confront four direct propositions:

1. Levi says he expressly refused stipulation.
2. He says he requested that refusal be preserved.
3. The official minute states affirmative stipulation.
4. No produced record shows correction or a reasoned reconciliation before trial.

An institution may rebut the account through its controlled source records and sworn testimony. It may not rely on the disputed minute as presumptively correct while withholding or failing to reconcile the records needed to test it. That would repeat the protective loop within the very proceeding offered as a fair forum.

C. Personal service of the Hodgkins disqualification statement: reported interference, disposal, and threat

Grant states from personal knowledge that, during an August 2026 recess in Commissioner Hodgkins's courtroom, he attempted to personally serve the statement of disqualification required by Code of Civil Procedure sections 170.1 and 170.3. He states that he announced the service and explained that personal service was required. A participating Riverside County public defender intervened, asserted that service was not permitted, and objected to placement of the papers.

Grant further states that he placed the papers on the courtroom pony wall, whereupon the public defender took the papers and threw them into a trash receptacle. Grant states that Hodgkins later directed the public defender to retrieve them, but the public defender did not comply and left. Grant also states that the bailiff threatened arrest or removal during the effort. These are Grant's first-person representations of conduct he says occurred in an occupied courtroom before court staff and attorneys.

This account required immediate investigation. The necessary steps were straightforward: identify all persons present; preserve assignment, calendar, access, and courtroom source records; obtain statements from Hodgkins, the public defender, bailiff, clerk, and witnesses; determine what became of the service copies; and enter a clear docket record addressing service. No reviewed production identifies a completed independent investigation or corrective finding before the scheduled trial.

The event directly affects venue and counsel. A statutory disqualification process cannot function if a nonparty process server is threatened while performing personal service and a participating defense attorney can physically remove and discard the papers. The event also makes ordinary appointment from the same local public-defense office inadequate without conflict review. Labeling the account "unverified" because the institution did not investigate would reward the failure to investigate and invert the burden created by the institution's exclusive access to the witnesses and records.

D. Clerk obstruction and court-security intimidation during filing and proof of service

Grant and Levi state that they next attempted to file the disqualification and proof-of-service materials through the clerk. Grant states that the clerk retained a filing packet or judicial copy, gave no concrete filing-rule basis for refusing or delaying acceptance, invoked a supervisor, and summoned court security. Grant states that his ability and Levi's ability to file proof of service were obstructed.

Grant states that three bailiffs surrounded the filing area and threatened arrest while he and Levi attempted to complete court business. Levi states that he later placed the filing obstruction and threat before Judge Hester and explained that the conduct affected the disqualification process. The August 12 minute reflects that Hester had received a section 170.1 notice and proceeded to trial posture. (Sources SG-2 and SG-3.)

The legal implications are immediate:

- Rule 2.118 and Voit prohibit unauthorized clerk adjudication of filing validity.
- A blocked proof of service cannot be converted into a claim that service was not completed or that the statutory process was untimely.
- Summoning armed security to a filing dispute objectively chills access and requires a written incident and supervisory record.
- When the challenged judicial officers' answer periods and trial assignment depend on filing and service dates, interference with those acts destroys the clarity the statute requires.
- Proceeding toward trial without first resolving the access event allows the institution to benefit from the obstruction.

This is not an abstract complaint about courthouse demeanor. It concerns whether threshold papers could enter the record, whether service could be proven, whether court security was used to deter filing activity, and whether the case could move forward on a record shaped by that obstruction.

E. Unresolved judicial challenges and compressed preparation

The August 12 minute states that the court received a section 170.1 challenge concerning Judge Hester, that the prosecution announced ready, that Levi stated he was not ready and did not waive time, and that trial trailed to August 21 with August 31 identified as the last day. The docket also reflects a challenge concerning Hodgkins and related service papers. (Source SG-2.)

As represented through the Phase II source cutoff, no responsive statement had been received from Hodgkins or Hester. The resulting uncertainty affected who could lawfully act, whether the challenges were consented to by nonresponse, struck, or referred for determination, whether a new assignment would occur, whether a peremptory challenge remained available, and how venue and counsel issues could be resolved before trial.

Levi was thus placed in an impossible preparation posture. He could not know the adjudicator, the status of the threshold challenges, the operative record of service, the forum, or the availability of independent counsel. Yet a statement that he was immediately ready would surrender the reality that court-created obstruction and compression impaired preparation. Conversely, requesting delay risked an argument that he waived speedy trial. The court must resolve the threshold problems without forcing either concession.

The timing establishes good cause under rule 4.151. The most probative venue events occurred after July 16 and continued during the statutory response and filing processes. A motion filed immediately after those events is based on newly matured facts, not a tactical withholding of long-known grounds.

F. Sheriff's public-record response: a present evidence-custody warning

The public-record packet includes Riverside County Sheriff's reference CO02053-072026. The quoted request sought emails from January 2025 forward, including judicial-officer and courtroom messages, concerning California Rules of Court, rule 2.816. The response states that a review located no responsive emails and closes the request. (Source SG-10.)

The same packet includes sender-preserved May 1, 2026 message headers directed to Riverside court and Sheriff recipients and agency-generated acknowledgments from Sheriff Court Services accounts. That is a facial conflict with a categorical no-email result. The packet also documents later efforts to clarify the request and identify its scope.

The proper response is a source-level search audit, not a presumption that the categorical answer extinguished the records. The Sheriff must identify custodians, accounts, systems, date limits, search terms, exclusions, retention rules, forwarding or deletion practices, and whether acknowledgments were treated as responsive. If the records were routed to personal county accounts, City of San Jose confirms that public business does not become private merely because of the account used.

This conflict is materially connected to the prosecution. The messages may bear on pre-arrest or pretrial notice, knowledge of the reported commissioner and service issues, motive, credibility, impeachment, retaliation, preservation, and the accuracy of later official claims. The district attorney's disclosure duties therefore require an independent prosecution-team inquiry even if the public-record dispute remains pending. A public-record closure cannot conceal or narrow criminal discovery.

G. Local public defense does not cure the catch-22 without independent separation

Levi may require appointed counsel because the case involves disqualification, venue, evidence preservation, cross-agency discovery, constitutional issues, and a rapidly approaching trial. Yet his defense may require counsel to investigate local court actors, Sheriff Court Services, the arresting bailiff, contested court records, and the reported conduct of a public defender during service of the Hodgkins statement.

The Public Defender also received institutional notices concerning the broader commissioner and temporary-judge issues before the present trial. Notice alone does not make every deputy personally adverse. It does require a documented conflict inquiry by a decision maker not implicated in the reported conduct. The inquiry must address prior receipt and routing, the courtroom incident, the office's ability to investigate a colleague, the need to challenge local court personnel, and whether confidential institutional interests could materially limit advocacy.

If independent screening cannot establish full loyalty and practical separation, counsel must come from outside the Riverside institutional chain. A nominal appointment that leaves Levi unable to present the defense against local actors would deepen, not resolve, the constitutional dilemma.

IV. HISTORICAL CONTROL STUDIES: THE SYSTEM, NOT LEVI, WAS THE CONSTANT

A. Levi's changing roles

The historical record gains probative force because Levi did not occupy one adversarial role throughout it:

- In FLHE1905452 he was a child and later an affected family member. He did not select the commissioner, create the minute entries, control support adjudication, or direct the court's corrective processes.
- In the household and unlawful-detainer sequence, he suffered the loss of the family residence regardless of his control over the underlying litigation.
- In DVSW2400037 he was a petitioner seeking court protection.
- In later family proceedings he served as witness and process server.
- In the courthouse events he became the object of threats, arrest, and prosecution.
- In MIIN2504643 he is the accused person whose liberty and record are at stake.

The recurring institutional functions were assignment, authority characterization, stipulation, record creation, filing access, court security, and corrective review. The changing participant and constant system materially support the inference that the pattern is structural rather than personal.

B. Firetag: defective advisement, generic stipulation, express refusal, and transfer without foundational cure

The Firetag source group contains photographs of Department H4 Rule 2.816 signage that omit the rule's mandatory second advisement concerning the right to refuse stipulation. Court minutes nevertheless use the generic recital that the litigant stipulated to Commissioner Nicholas Firetag. Grant later filed a section 170.1 challenge, expressly documented non-stipulation, and placed the signage and record issue before the court. The August 24, 2022 minute expressly states that Grant did not stipulate. (Source SG-4.)

Firetag's response and strike order addressed the disqualification mechanism and moved the matter away from his department, but did not reconcile the prior generic stipulation entries, correct the signage practice, or produce a completed inquiry into how informed consent was obtained. The transfer therefore created an appearance of cure while leaving the foundational practice intact.

This distinction is central to Phase II. Removing one officer does not correct records, restore lost rights, determine the validity of earlier acts, or prevent the same process from recurring under another officer. A personnel change without source-level correction is one turn of the protective loop.

C. Mandio: formal notice, contradictory records, adjudication in absence, and closure

The January 20, 2023 special appearance and corrective filing placed the Firetag signage, stipulation, minute, access, and due-process issues before Judge Mark Mandio. The Mandio record then generated its own conflicts. The supplied February 6 minutes contain materially different appearance and disposition recitals. Grant's filings state that his ability to make a record was restricted and that a consequential hearing was conducted in his absence despite notice and objections. Later nunc pro tunc and amended minutes corrected selected entries while the larger source conflicts remained unresolved. (Source SG-5.)

Mandio's later section 170 disposition and reassignment closed the local procedural path without a durable source-level answer to the Firetag practice or the new record disputes. The legal significance is not that every Mandio ruling must be relitigated here. It is that the move from a commissioner to a judge did not activate an effective independent safeguard. Formal notice reached a court of ordinary judicial authority; adverse consequences continued; selected records changed; and no transparent investigation or comprehensive correction appears in the reviewed production.

D. Newstrom and Lafferty: a binary contradiction in the court file

Commissioner Gareit Newstrom's November 9, 2023 order recognized Grant's non-stipulation and the Family Code section 4251 recommendation-and-review process. The register reflects filing of Grant's FL-666 objection and proof of service on January 11, 2024. Judge Burke Strunsky Lafferty's January 18

FL-667 checks that no timely objection was filed, ratifies the recommendation, and sets no de novo hearing. The supplied mailing-certificate page is incomplete. (Source SG-6.)

These propositions cannot all be true without an undisclosed routing or timeliness fact. Either the objection entered the system when the register says it did, or the court possessed a specific basis for certifying that no timely objection was filed. The court file can resolve the binary. Until it does, the later certification cannot be treated as conclusive merely because it is official.

This case study demonstrates the burden inversion at the center of Phase II: the litigant invokes the statutory review process, the court's own register reflects the filing, a later form denies its timely existence, and the affected person must pursue extraordinary correction while the court controls the intake, routing, service, and decision records.

E. February 27, 2024 and the DVRO comparator: facially contested hearings without reconciliation

The supplied records place multiple family-law events and Levi's domestic-violence proceeding on February 27, 2024. H5 minutes attribute appearances or hearings to Judge Lafferty and Judge Kristi Kirk. The DVRO record reflects Levi's separate proceeding before Judge Mathis with multiple recalls. Grant's March 4 filing promptly denied that the challenged H5 proceedings occurred as recorded and attached the records he contended were inconsistent. Later motions again identified the alleged phantom proceedings and requested correction. (Sources SG-7 and SG-8.)

Those hearings lack facial reliability until the court reconciles the time, appearance, assignment, calendar, connection, clerk, and minute-source records. The significance is not dependent on a final finding of motive. A prompt, source-specific challenge to whether a proceeding occurred as recorded demands preservation and a written comparison. No reviewed production identifies such a completed reconciliation.

The DVRO matter is also a role-control comparator. Levi was the petitioner seeking protective relief, not the person directing the family case. The same county systems governed calendar integrity, appearance records, access to evidence, and meaningful review. The alleged H5 record conflicts therefore cannot rationally be dismissed as the product of Levi's litigation conduct.

F. Wafajow unlawful-detainer matter: a disputed assignment recital carried through enforcement

In Wafajow v. MacKenzie, the pretrial assignment material identified Candice Garcia-Rodrigo as a judge, while the trial minute identified her as a commissioner and recited stipulation. A self-represented household faced represented opposing parties. Emergency review ended without a merits explanation, and enforcement resulted in loss of the family residence. (Source SG-8.)

The operational lesson is that a disputed foundational recital passed through trial, clerk, appellate, and enforcement functions without source-level verification before the practical consequence became irreversible. Levi was affected as a household member whether or not he controlled the litigation. Post-event review could not restore the home or erase the downstream harm.

G. December 1, 2023 sworn service account: the documented precursor to current threats

Levi's December 3, 2023 affidavit describes his attempt two days earlier to serve papers concerning Judge Lafferty at the Hemet Family Courthouse. Levi identifies a bailiff, Sheriff Salas, badge number 396. He states that after he placed the papers over the pony wall and announced service, Salas said the papers were going "straight in the trash," ordered him out, and said he never wanted to see Levi's face there again. The affidavit also describes earlier locked-courtroom, misdirection, and filing-access problems during service efforts involving other judicial officers. (Source SG-9.)

This affidavit is critical because it predates the April 2025 arrest and the August 2026 service and filing events. It memorializes the same combination of service obstruction, disposal threat, courthouse exclusion, and intimidation before Levi became a criminal defendant. The later arrest and prosecution therefore intensified an already documented basis for fear.

The required institutional response was investigation and correction. The reported statement implicated the integrity of judicial service and access to the courthouse. No reviewed source identifies findings, training, preservation, discipline, or a communicated remediation. The absence of response left the alleged practice available to recur.

H. Cross-case result

The historical studies establish six repeating functions:

1. Authority or stipulation is represented in a standardized record despite a specific non-stipulation dispute.
2. A filing or proof appears in the register while a later official record denies or bypasses it.
3. A contested proceeding or appearance remains recorded without source reconciliation.
4. Transfer, strike, summary denial, or reassignment closes a procedural channel while leaving the foundational issue intact.
5. Service, filing, or objection activity is followed by access restriction, security intervention, threat, arrest, or prosecution.
6. The affected person must use the same local record and review systems to challenge the result.

The instant case reproduces functions one, four, five, and six directly, while the public-record dispute reproduces function two at the agency-search level. This convergence satisfies the preventive venue standard even if a reviewing court reserves final judgment on individual intent in the historical events.

V. NOTICE, KNOWLEDGE, AND RESPONSE IN THE NEGATIVE

A. Notice was specific and cumulative

The strongest notice evidence is not volume. It is specificity. The notices repeatedly identified testable subjects: the Rule 2.816 advisements; commissioner or temporary-judge capacity; express non-stipulation; disputed minute recitals; filing and service barriers; court-security threats; identified hearings; preservation of court-controlled sources; and the downstream effect on Levi and other litigants.

The notice chain includes:

- filed section 170 statements and corrective motions beginning with Firetag and continuing through Mandio, Newstrom, Lafferty, Kirk, Hodgkins, and Hester;
- proofs of service and certified-mail materials;
- January 2024 fair-notice and later omnibus filings;
- May 1, 2026 transmissions to judicial, courtroom, and Sheriff recipients;
- May 3, 2026 notices to Public Defender recipients;
- public-record requests seeking confirmation of the communications; and
- current case objections, offers of proof, disqualification filings, and reported filing attempts.

This record establishes institutional opportunity to preserve, route, investigate, and correct. Subjective personal knowledge should be attributed only where the source supports it, but no institution may erase formal notice by declining to identify who received, routed, or reviewed it.

B. The response was affirmative and predominantly adverse

The cumulative response cannot be described as administrative silence. The assembled sources identify active consequences:

- Firetag struck the disqualification statement and the case moved without correction of the foundational practice.
- Mandio adjudicated and later struck or closed challenges while source conflicts persisted.
- Newstrom's recognized review route was followed by Lafferty's no-timely-objection certification despite a docketed objection.
- Kirk and later officers struck or denied filings without the requested source comparison.
- Service efforts were reportedly met with disposal of papers, removal orders, or arrest threats.
- Levi was arrested during later court-related service activity and is now prosecuted.
- In the current case, an express non-stipulation was followed by a stipulation recital.
- The current section 170 service and filing efforts generated reported interference by a public defender, clerk obstruction, and threats by multiple bailiffs.
- The Sheriff answered a targeted records request with a categorical no-email result despite sender and agency acknowledgment evidence in the packet.

These are responses in the negative: the institution acted, but the acts did not preserve, investigate, reconcile, or cure the identified defect. They instead maintained the disputed record, restricted the reporting channel, or increased the consequence to the reporting person.

C. Continued practice after notice strengthens the inference

Failure to address the issues does not nullify the claims. Dismissal of prima facie evidence does not sanitize the reported violation. Continued use of a practice does not make it valid. Muting a litigant, preventing filing, or excluding a process server does not establish that no timely objection was made. An uncured false or inaccurate entry does not become reliable through repetition.

Once specific notice and a practical means of verification exist, continued adverse action supports an inference of intentional ignorance or reckless disregard. The court may draw a narrower or different intent finding after a genuine investigation. It may not use the absence of an investigation as institutional exoneration.

VI. THE PROTECTIVE LOOP AND LEVI'S CONSTITUTIONAL CATCH-22

A. How the loop operates in the present case

The current case brings every part of the loop into one prosecution:

1. The court controls the minute that states Levi stipulated.
2. The court controls the filing and service record for the section 170 statements.
3. Courtroom participants are witnesses to the alleged service interference and disposal of papers.
4. Court security allegedly threatened the process server and later surrounded the filing effort.
5. Sheriff Court Services controls arrest, incident, assignment, and related agency evidence.
6. The District Attorney relies on the court-security event for prosecution and must obtain favorable information from the prosecution team.
7. The ordinary appointed-defense channel may need to investigate a local public defender and challenge the same courthouse institutions.
8. Riverside judges would decide the legal effect of conduct and records generated by their local institutional system.

The mechanism thus protects itself through distributed control. No single actor need perform every function. The combined system can block filing, retain records, limit investigation, continue prosecution, and demand that Levi prove the problem inside the same structure.

B. Full defense exposes Levi to the demonstrated response pattern

Levi's defense may require him to show that the arrest arose from protected service activity; challenge the lawfulness and clarity of bailiff commands; impeach court-security witnesses; prove prior notice; identify contested court records; litigate missing or withheld agency evidence; question judicial and clerk procedures; and establish a pattern relevant to motive or retaliation.

The historical and current accounts show that closely related conduct has been followed by exclusion, threats, adverse record entries, arrest, and prosecution. Levi's fear is therefore material and objectively grounded. It is not a generalized mistrust of government. It arises from identified events involving his own access, family, home, service activity, liberty, record, and pending case.

C. Self-censorship forfeits material defenses

If Levi avoids the institutional evidence to reduce the risk of further retaliation, he may lose evidence relevant to reasonable doubt. Penal Code section 148(a)(1) makes the lawfulness of official conduct and the defendant's response material. Prior notice, motive, inconsistent accounts, source preservation, the context of service, and the credibility of courthouse witnesses can affect the merits. A forum condition that pressures the defendant to omit those subjects is itself prejudicial.

D. Local remedies return him to the same machinery

Recusal of one commissioner or judge does not resolve countywide evidence custody, security, prosecution, public defense, filing, or corrective review. A new local judge still depends on Riverside clerks, court administration, Sheriff Court Services, local agency disclosures, and the county's institutional record. The requested remedy must match the risk. Here only an out-of-county trial forum creates meaningful separation.

E. The loop must be reversed

The lawful allocation is straightforward. Once Levi presents source-specific court records, first-person declarations, notice proof, and current repetition sufficient to establish a prima facie risk, the institutions controlling the decisive sources must answer with evidence. They must identify the records, preserve them, explain searches, produce responsive material, reconcile contradictions, and document conflict screening. Until that occurs, unresolved institution-created uncertainty must weigh in favor of preventive protection, not against it.

VII. GOOD CAUSE, PROCEDURAL POSTURE, AND NON-WAIVER

A. Good cause for the timing of the section 1033 motion

Rule 4.151 permits a venue motion within ten days of trial for good cause. Good cause is established because critical facts did not exist or had not matured earlier:

- July 16, 2026 produced the current minute conflict after Levi's stated express non-stipulation.
- Subsequent assignment activity and unresolved section 170 challenges left the identity and authority of the trial adjudicator unsettled.
- August section 170 statements against Hodgkins and Hester triggered statutory filing, service, answer, and referral questions.
- The personal-service effort produced Grant's new account of public-defender interference, disposal of papers, and a bailiff threat.
- The filing effort produced Grant's and Levi's new accounts of clerk obstruction and threats by multiple bailiffs.

- The Sheriff public-record packet exposed a current search-result conflict bearing on notice and evidence custody.
- Trial posture compressed while the identity and authority of the adjudicator, venue, counsel, service record, and preservation duties remained unresolved.

Those events are not embellishments to an old theory. They are the current evidence that the historical failure mode reached the pending prosecution. Filing promptly after the pattern completed is timely and necessary.

B. No speedy-trial concession

The report recommends immediate adjudication of venue; it does not request an open-ended stay or consent to a continuance. Levi should expressly state that he:

1. does not waive Penal Code section 1382 rights;
2. does not consent to attribution of court-created disqualification, filing, or venue delay to him;
3. seeks the earliest lawful trial in a constitutionally adequate county after threshold relief;
4. requires any court-imposed delay to be supported by particularized section 1050 findings; and
5. preserves all dismissal and writ remedies.

The phrase "if operationally possible" should not qualify the request for transfer. Operational inconvenience cannot determine whether a constitutional forum exists. The court must select a lawful process and then account for any delay its implementation causes.

C. Peremptory and for-cause remedies do not replace venue

A Code of Civil Procedure section 170.6 challenge to a newly assigned judge may remain separately available depending on assignment and timing. A section 170.1 challenge addresses a particular judicial officer. Neither remedy cures the countywide institutional nexus demonstrated here. The section 1033 motion should preserve those rights without presenting them as substitutes for transfer.

VIII. ANSWERS TO THE STRONGEST ANTICIPATED COUNTERARGUMENTS

A. "The historical cases are collateral and unrelated"

The report does not ask the criminal court to reverse the family, DVRO, or unlawful-detainer outcomes. It uses those records to test functions necessary to the present trial. Their relevance lies in recurrence across different legal categories, officers, courthouses, and roles, followed by current reproduction in MIIN2504643.

B. "The allegations have not been adjudicated"

Non-adjudication after repeated notice is not proof of falsity. The question is whether the county's safeguards respond reliably to source-specific conflicts. The absence of a completed investigation is part of the venue evidence when the same county controls the proof, continues the challenged practice, and imposes consequences before reconciliation.

C. "Recusal or reassignment cures the problem"

Personnel substitution does not correct a minute, restore a blocked filing, investigate a bailiff, produce Sheriff records, resolve a public-defense conflict, or separate the prosecution from local institutional witnesses. The Firetag-to-Mandio sequence demonstrates why transfer without foundational correction can perpetuate the loop.

D. "Official records are presumed correct"

Evidence Code section 664 is rebuttable. It cannot defeat an express contrary declaration, inconsistent court entry, docketed proof, or first-person account by mere invocation. People v. Mitchell confirms that the record must conform to what occurred. The current July 16 minute conflict is precisely the circumstance requiring source comparison and correction.

E. "A new Riverside judge can be fair"

The issue is not a personal attack on every local judge. The trial depends on county systems beyond the presiding judge: security, evidence custody, prosecution-team inquiry, public defense, filing, records, and review. The documented risk is institutional and cannot be removed by asking one local judge to promise independence from the infrastructure on which the trial depends.

F. "The public-record issue is separate from the criminal case"

The legal remedies are separate, but the evidence can overlap. Communications concerning notice, court authority, service, preservation, and Sheriff knowledge may be favorable or impeaching. Brady, Kyles, and Penal Code section 1054.1 require criminal disclosure regardless of the public-record response.

G. "The public defender incident is only an accusation"

It is a first-person account by the process server, tied to a specific courtroom, service act, judicial officer, public defender, bailiff, and group of witnesses. That is enough to trigger immediate inquiry. The institution cannot decline to investigate and then cite the absence of institutional corroboration as a reason to disregard the account.

H. "The motion is too late"

The current grounds matured within days of trial. Rule 4.151 expressly recognizes good cause. Waiting for the July 16 minute, later assignment, section 170 service events, filing obstruction, response periods, and current public-record mismatch was not delay; it was necessary to present the court with the completed current pattern.

I. "Venue relief would delay trial and therefore Levi must choose"

Constitutional venue and speedy trial are separate protections. The court may not force waiver of one to preserve the other. Any delay must be justified by the court, narrowly limited, and properly attributed. The problem arose from county-created threshold events, not Levi's request that they be lawfully resolved.

J. "The report alleges a conspiracy without proving an agreement"

The section 1033 result does not depend on proving a single conspiratorial agreement. The report demonstrates a functional machinery: distributed control of records and access, aligned institutional incentives, repeated non-investigation, adverse response, and real-time recurrence. That condition is sufficient to establish a reasonable likelihood of an unfair local trial. Evidence of intentional coordination, if later established, would deepen accountability but is not a prerequisite to preventive transfer.

IX. INTEGRATED FINDINGS

Based on the present source record, Phase II reaches the following findings:

1. Riverside's commissioner, temporary-judge, stipulation, and record practices were specifically challenged years before the current prosecution.
2. The Firetag record shows omitted mandatory signage advisements, generic stipulation entries, express non-stipulation, and transfer without correction of the foundational practice.
3. The Mandio record shows formal judicial notice followed by additional record conflicts and procedural closure without comprehensive source reconciliation.
4. The Newstrom/Lafferty record contains a facial filing-and-certification contradiction that remains dependent on court-controlled routing evidence.
5. The February 27 and DVRO records present a source-specific hearing and appearance conflict that was promptly challenged and not transparently reconciled.
6. The Wafajow record shows a disputed authority recital passing through trial and enforcement before meaningful source-level review.
7. Levi's December 2023 affidavit documents service obstruction and a bailiff disposal and exclusion threat before the later arrest and prosecution.
8. The April 2025 arrest arose from court-related service activity and created a direct institutional-witness nexus to the current prosecution.
9. Levi's July 16, 2026 express non-stipulation account is contradicted by the court's affirmative stipulation recital.

10. The current disqualification service effort produced Grant's first-person account of public-defender interference, disposal of papers, and a bailiff arrest threat.
11. The current filing effort produced Grant's and Levi's first-person accounts of clerk obstruction and threats by multiple bailiffs.
12. The Sheriff public-record packet contains a facial mismatch between a categorical no-email result and messages plus agency acknowledgments.
13. No produced record identifies a neutral, completed, communicated investigation of the principal current incidents before trial.
14. Institutional response was affirmative and predominantly adverse, not neutral silence.
15. Levi's changing roles rebut the proposition that he was the source of the repeated institutional failure mode.
16. Local prosecution, security, filing, record, evidence, and public-defense functions are materially implicated in the defense.
17. Full presentation of the defense exposes Levi to a documented pattern of adverse response; self-censorship forfeits material evidence.
18. Recusal of a single officer and ordinary local remedies do not create structural separation.
19. Good cause supports immediate section 1033 filing because critical grounds matured after the ordinary deadline.
20. The totality establishes at least a reasonable likelihood that a fair and impartial trial cannot be had in Riverside County.

X. REQUIRED IMMEDIATE ACTION AND FORENSIC CONCLUSION

A. Venue

The trial should be transferred outside Riverside County under Penal Code section 1033. The receiving forum should be institutionally separate from Riverside adjudication, Sheriff Court Services, local prosecutorial relationships, and the ordinary Riverside appointed-defense chain to the extent those systems are material witnesses, evidence custodians, or subjects of the defense.

B. Preservation and production

Before any further merits proceeding, written preservation instructions should issue to the Superior Court, Sheriff, District Attorney, Public Defender, and relevant county information custodians. The instructions should cover filings, intake and routing records, minute creation and revision history, courtroom and courthouse access data, staff and security assignments, incident materials, communications, public-record searches, arrest and charging materials, witness statements, complaint records, and all other agency-controlled evidence concerning the identified events.

The District Attorney should provide a written Kyles inquiry identifying which agencies and persons were contacted, what sources were searched, what favorable or impeaching material was located, and what preservation steps were taken. A public-record response does not satisfy that duty.

C. Independent investigation

An investigator outside the Riverside institutions implicated by the defense should examine:

1. the July 16 minute creation and correction process;
2. service of the Hodgkins statement and the reported disposal of papers;
3. clerk intake, packet retention, proof-of-service access, and the multi-bailiff threat event;
4. the April 30 arrest, courthouse-service context, and charging referral;
5. the Sheriff public-record search and the message-routing conflict;
6. Public Defender receipt, routing, courtroom participation, and conflict screening; and
7. the historical source conflicts to the extent necessary to determine recurrence and institutional knowledge.

D. Counsel

Levi should receive an immediate, independent conflict assessment. If the ordinary Riverside defense system cannot establish full loyalty, separation, and willingness to investigate the identified actors, outside appointed or conflict counsel should be provided without conditioning counsel on waiver of venue, disqualification, or speedy-trial rights.

E. Record correction

The court should determine the accuracy of the July 16 stipulation recital before relying on it for any purpose. The filing and service record for the current section 170 statements should be reconstructed from the tendered papers, clerk custody, proofs, first-person accounts, and docket history. Obstruction cannot be converted into default.

F. Public-system and funding review

The issues extend beyond Levi. Commissioner authority, temporary-judge stipulation, child-support adjudication, indigent defense, court security, and record administration are supported by state, county, and in some programs federal funds. Repeated authority or record defects can affect the validity of orders, enforcement, statistical reporting, reimbursement, and public expenditures. The source pattern warrants an independent operational and fiscal audit directed to scope, recurrence, training, correction, funding certifications, and affected cases. Continued expenditure without verification risks multiplying both constitutional injury and public loss.

G. Final conclusion

The venue question has already been constructively tested. Riverside's safeguards were invoked across distinct cases and roles, repeatedly placed on notice, and then tested again in Levi's current prosecution. The present case produced the same core results: an official record opposite to an express objection, unresolved disqualification procedures, reported obstruction of service and filing, court-security intimidation, agency evidence uncertainty, counsel conflict, and trial compression.

The law does not require Levi to submit to one more Riverside trial so that actual prejudice can become irreversible. It requires prevention when the reasonable likelihood is shown. On this record, transfer is not an indulgence and not a concession that Levi needs more time. It is the structural condition necessary for any trial to claim legitimacy.

XI. SOURCE GROUPS AND EXHIBIT ROADMAP

SG-1 - First Forensic Report

First Forensic Report - Riverside Commissioner and Temporary-Judge Authority, legal-spine and evidentiary-chain edition (Master Index DOC-000379), including governing authorities, Firetag materials, July 16 case study, and source index.

SG-2 - Current criminal court record

MIIN2504643 case summary and docket; July 16, 2026 arraignment minutes and recusal/order materials; August 12, 2026 pretrial minute (DOC-000004); current section 170.1 statements concerning Hodgkins and Hester; proofs of service, filing receipts, tendered copies, and any response or referral orders.

SG-3 - Current first-person evidence

Levi's verified narrative account of the July 16 arraignment; Grant William MacKenzie's declaration supporting the Hodgkins disqualification; Levi's first-person account of the August filing obstruction and court-security threat; Grant's first-person account of Hodgkins service, public-defender interference, disposal of papers, clerk obstruction, and court-security threats. The latter current events should be placed in a signed declaration for the section 1033 filing.

SG-4 - Firetag

Rule 2.816 signage and exhibit (DOC-000306 and DOC-000377); Challenge for Cause to Disqualify Commissioner Nicholas Firetag (DOC-000003); August 24, 2022 minute (DOC-000078); September 1, 2022 order; Firetag verified answer and strike order (DOC-000083).

SG-5 - Mandio

January 20, 2023 special appearance and corrective motion (DOC-000154); February 6 minutes and trial materials (DOC-000155); May 10 nunc pro tunc and variant minutes (DOC-000092 through DOC-000094); Mandio disqualification and strike-order materials (DOC-000315 through DOC-000322); reassignment notice (DOC-000323).

SG-6 - Newstrom and Lafferty

January 3, 2024 review materials (DOC-000001); Lafferty FL-667 review (DOC-000148); FL-666 objection and proof of service (DOC-000152); register entries, routing data, service data, and completed mailing certificate if one exists.

SG-7 - February 27 and DVRO records

February 27 H5 minutes (DOC-000167 through DOC-000169); March 4 "Hearings That Never Occurred" filing (DOC-000179); related intrinsic-fraud and RFO filings (DOC-000177 and DOC-000178);

DVSW2400037 register, minute, calendar, and appearance records; Judge Mathis records; Kirk/Mathis challenge and omnibus materials (DOC-000041, DOC-000042, DOC-000162, and DOC-000180 through DOC-000190).

SG-8 - Unlawful detainer and downstream enforcement

Wafajow refined source compilation (DOC-000378); assignment notice; trial minute; verified APP-151 petition and declaration; writ disposition; clerk and enforcement records; proof of loss of possession and impact on the MacKenzie household.

SG-9 - December 2023 service affidavit

Levi Grant MacKenzie's affidavit executed December 3, 2023 concerning the December 1 Hemet Family Courthouse service event, Sheriff Salas badge 396, disposal statement, exclusion statement, prior service attempts, and filing-access problems.

SG-10 - Institutional notices and public records

Public-record request compilation (DOC-000381); Sheriff response CO02053-072026 (DOC-000006); May 1 judiciary and Sheriff notices (DOC-000007 through DOC-000009); May 3 Public Defender notices (DOC-000010 and DOC-000011); handwritten and clarified Sheriff request material (DOC-000012); certified-mail proofs, recipient lists, message headers, and agency-generated acknowledgments.

SG-11 - April 30 arrest and prosecution nexus

Service materials; arrest and incident reports; charging referral; warrant or complaint support; Sheriff Court Services assignments; dispatch and access data; official agency incident media; witness statements; preservation correspondence; prosecution-team communications; and any complaint or review record.

XII. SELECTED AUTHORITIES

Venue and timing

Penal Code sections 1033, 1050, and 1382; California Rules of Court, rule 4.151; Frazier v. Superior Court (1971) 5 Cal.3d 287; Maine v. Superior Court (1968) 68 Cal.2d 375; Martinez v. Superior Court (1981) 29 Cal.3d 574; Odle v. Superior Court (1982) 32 Cal.3d 932.

Neutral tribunal and disqualification

Code of Civil Procedure sections 170.1, 170.3, 170.4, and 170.6; In re Murchison (1955) 349 U.S. 133; Caperton v. A.T. Massey Coal Co. (2009) 556 U.S. 868; Rippo v. Baker (2017) 580 U.S. 285; Williams v. Pennsylvania (2016) 579 U.S. 1.

Filing and record integrity

California Rules of Court, rule 2.118; Voit v. Superior Court (2011) 201 Cal.App.4th 1285; Rojas v. Cutsforth (1998) 67 Cal.App.4th 774; Carlson v. Department of Fish & Game (1998) 68 Cal.App.4th 1268; People v. Mitchell (2001) 26 Cal.4th 181; Evidence Code sections 412, 413, 500, and 664.

Disclosure, preservation, and institutional witnesses

Brady v. Maryland (1963) 373 U.S. 83; Kyles v. Whitley (1995) 514 U.S. 419; California v. Trombetta (1984) 467 U.S. 479; Arizona v. Youngblood (1988) 488 U.S. 51; Penal Code sections 1054.1 and 1054.5; Turner v. Louisiana (1965) 379 U.S. 466; Parker v. Gladden (1966) 385 U.S. 363.

Public records, conflicts, and maxims

California Constitution, article I, section 3, subdivision (b); Government Code sections 7922.500 and 7922.535; City of San Jose v. Superior Court (2017) 2 Cal.5th 608; City of Gilroy v. Superior Court (2026) 19 Cal.5th 38; People v. Eubanks (1996) 14 Cal.4th 580; Civil Code sections 3517, 3523, 3528, 3529, and 3538.