

FORENSIC REPORT

COMMISSIONER AND TEMPORARY-JUDGE AUTHORITY IN RIVERSIDE COUNTY

Constitutional Separation, Rule 2.816, Record Certification,
the Department Proceedings, and the Enforcement Chain

Prepared for judicial, evidentiary, administrative, and investigative review
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REPORT STATUS

This report is a forensic legal and operational analysis of Riverside County commissioner and temporary-judge administration. It is based on the supplied court records, separately verified percipient declarations, notices, photographs, and cited authorities, and it distinguishes established facts, supported inferences, unresolved allegations, and evidence required for final attribution of intent. The identified proceedings are used as case studies to test how the governing constitutional, statutory, notice, stipulation, record-certification, review, and supervisory mechanisms have operated in practice. No individual case study defines the subject of the report. The report does not determine the merits of the pending Penal Code section 148(a)(1) charge and does not replace the case-specific motions necessary to obtain enforceable relief.

REPORT PURPOSE AND ORGANIZING PRINCIPLE

This report examines whether the Superior Court of California, County of Riverside, has lawfully and reliably administered the constitutional transition between commissioners performing subordinate judicial duties under article VI, section 22 of the California Constitution and attorneys acting as temporary judges under article VI, section 21. The inquiry focuses on the notice, stipulation, assignment, record-certification, review, and supervisory mechanisms through which the court purports to activate and memorialize temporary-judge power.

The proceedings examined below function as comparative case studies rather than as independent subjects of the report. They span criminal arraignment, family-law, domestic-violence, and unlawful-detainer settings and are used to test whether Riverside consistently distinguishes commissioner status from temporary-judge capacity; supplies legally sufficient notice before treating conduct as stipulation; accurately records objection and non-stipulation; preserves review mechanisms; and corrects or instead carries disputed authority records into later rulings and enforcement.

The Department 2K arraignment of Levi MacKenzie is the most controlled current manifestation because the disputed capacity and notice issues were expressly tested before a plea, a written objection and preservation request were made before the resulting minute order existed, two separately verified percipient accounts now describe the material exchange, and Commissioner James F. Hodgkins represented that a court recording existed for use by the Presiding Judge. The other case studies provide earlier and cross-case-type comparators concerning notice, stipulation, non-stipulation, review, record certification, appellate processing, and enforcement.

The report therefore begins with concise case-study synopses, then states the forensic questions and method, establishes the constitutional and statutory framework governing commissioners and temporary judges, applies that framework to arraignment authority and Riverside operating practices, and only then develops the case studies in detail. It concludes with integrated findings, competing explanations, consequences, case-protection implications, and the corrective, supervisory, preservation, audit, and remediation measures supported by the record.

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TABLE OF AUTHORITIES AND PRINCIPAL SOURCES

Authority	Principal relevance
Cal. Const., art. VI, section 21	Temporary-judge power; State Bar qualification, oath, and stipulation of the parties.
Cal. Const., art. VI, section 22	Legislative authorization of commissioners and referees to perform subordinate judicial duties.
Code Civ. Proc., section 259(d)	Commissioner may act as temporary judge when qualified, appointed, and supported by litigant stipulation.
Gov. Code, section 72190.1	Assigned commissioner may conduct arraignment proceedings; does not itself convert every act within arraignment into a subordinate judicial duty.
Fam. Code, section 4251	Child support commissioner procedure; objection, recommendations, and de novo judicial review.
Cal. Rules of Court, rules 2.810-2.819	Qualification, training, notice, stipulation, disclosure, disqualification, limitations, and continuing duties for court-appointed temporary judges.
Cal. Rules of Court, rule 2.818(b)(3)	Temporary-judge limitation in family-law and unlawful-detainer cases where one party is self-represented and the other is represented or is an attorney, absent a lawful waiver process.
Cal. Rules of Court, rule 2.816	Notice before proceeding; name and State Bar qualification; right to judge, commissioner, or referee; stipulation after notice.
Cal. Rules of Court, rule 5.536	Express model of an attorney referee transitioning from section 22 duties to section 21 temporary-judge authority upon rule 2.816 stipulation.
Cal. Rules of Court, rules 10.603, 10.700, 10.703, 10.741-10.745	Presiding-judge supervision, SJO role and complaints, temporary-judge administration, performance review, and corrective responsibility; rule 10.700 is the renumbered successor to former rule 6.609 adopted in 2002.
Riverside Local Rules 1060 and 5145(A)(2)	Standing appointment of commissioners as temporary judges; family-law stipulation and non-stipulation procedure.
People v. Tijerina (1969) 1 Cal.3d 41	Qualification and prior appointment do not replace case-specific stipulation.
In re Horton (1991) 54 Cal.3d 82	Tantamount stipulation may be inferred from knowledgeable, willing participation; agreement remains the constitutional source.
People v. Oaxaca (1974) 39 Cal.App.3d 153	Commissioner lacks judge-level guilty-plea/sentencing power absent temporary-judge authority; knowledgeable, willing participation may support tantamount stipulation on the developed facts.
Michaels v. Turk (2015) 239 Cal.App.4th 1411	Record must support awareness and consent; local practice or possible signage is not self-proving.
In re Marriage of McClintock and Djulus (2017) 10 Cal.App.5th 1042	No tantamount stipulation where record did not show awareness of commissioner status and agreement.
In re Steven A. (1993) 15 Cal.App.4th 754	Temporary-judge authority depends on the scope of the parties' agreement.

FORENSIC REPORT - RIVERSIDE COMMISSIONER AND TEMPORARY-JUDGE AUTHORITY

Authority	Principal relevance
In re Marriage of Carlsson (2008) 163 Cal.App.4th 281	Meaningful opportunity to present evidence and argument is a due-process requirement.
People v. Mitchell (2001) 26 Cal.4th 181	Court may correct clerical error so the record reflects what actually occurred.
Gov. Code, section 69957(a)-(b)	Official electronic recording in misdemeanor proceedings when a reporter is unavailable; separate internal monitoring recordings for subordinate judicial officers, hearing officers, and temporary judges; notice, use, and retention restrictions.
Cal. Rules of Court, rule 2.952	Procedures governing electronic recording when a court orders recording as the official record of proceedings.
Pen. Code, section 988	Defines arraignment procedure, including reading/delivery of the accusatory pleading and asking how the defendant pleads.
Pen. Code, section 1024	If the defendant refuses to answer by demurrer or plea, a plea of not guilty must be entered.
67 Ops.Cal.Atty.Gen. 162 (1984), Opn. No. 83-913	Direct construction of Government Code section 72190.1: commissioner may perform subordinate arraignment duties and take/enter a not-guilty plea, but may not take/enter a guilty or nolo contendere plea without greater judicial authority.
California Law Revision Commission Staff Memorandum 2002-32 (June 27, 2002)	Historical institutional analysis expressly distinguishing commissioner/SJO authority under article VI, section 22 from broader temporary-judge authority under section 21; explains that a commissioner serving as temporary judge acts in that distinct capacity rather than as commissioner.
Judicial Council/AOC, Subordinate Judicial Officers: Duties and Titles, SJO Working Group Report (July 2002)	Statewide judicial-branch analysis distinguishing subordinate duties from temporary-judge assignments; endorses the Attorney General not-guilty/guilty-plea boundary at arraignment; documents the policy lineage of former rule 6.609/current rule 10.700. Working Group membership included then-Riverside Presiding Judge Christian F. Thierbach.
Municipal Court for the Mount San Jacinto Judicial Dist. of Riverside County v. Superior Court (Apr. 26, 1994, E013824) (4th Dist., Div. 2)	Riverside misdemeanor comparator recognizing separate commissioner and temporary-judge functions and requiring party stipulation for misdemeanor sentencing by a commissioner acting as temporary judge.

Evidentiary sources include the Declaration of Levi Grant MacKenzie and Verified Narrative Account of Material Portions of the July 16, 2026 Arraignment; the Declaration of Grant William MacKenzie; Department 2K morning and afternoon orders; Riverside case summary MIIN2504643; the Department 2K

commissioner signage photographs; the Firetag non-stipulation and reassignment records; the November 9, 2023 Newstrom order; the November-December 2023 Newstrom and Lafferty disqualification docket entries and strike orders; the January 11, 2024 FL-666 objection and proof of service; the January 18, 2024 Lafferty FL-667 review and its uncompleted mailing certificate; the Kirk and Mathis materials and referenced minute orders; the Wafajow v. MacKenzie assignment notice, unlawful-detainer minute orders, APP-151 writ petition, supporting declaration, summary writ denial, and Sheriff eviction record; institutional notices, proofs of service, and preservation demands; California Law Revision Commission Staff Memorandum 2002-32, Appellate and Writ Review Under Trial Court Unification: Review of Commissioner Decisions (June 27, 2002); and Judicial Council of California/Administrative Office of the Courts, Subordinate Judicial Officers: Duties and Titles, Report of the Subordinate Judicial Officer Working Group (July 2002); and the cited public court rules and statutes.

I. CASE STUDIES IN SYNOPSIS

The following synopses orient the reader to the comparative proceedings before the report turns to the governing law. Each proceeding is included only to illuminate the central institutional question: how Riverside County has communicated, activated, recorded, reviewed, corrected, and enforced commissioner and temporary-judge authority. The synopses do not substitute for the detailed application in Section V and do not assume that every disputed allegation in the underlying cases is established.

A. Levi MacKenzie - Department 2K Arraignment

On July 16, 2026, Levi MacKenzie appeared for a misdemeanor warrant arraignment before Commissioner James F. Hodgkins. Before entering any plea, Levi used three prepared questions to test whether the court considered its advisements complete, whether similarly situated defendants received anything different, and whether Hodgkins would accept a guilty or no-contest plea as a referee, commissioner, or temporary judge. Hodgkins reportedly answered that the advisements were complete, that he knew of no additional advisements for comparable defendants, and that he was acting as a commissioner. Levi then read a prewritten threshold statement, expressly non-stipulated, requested recusal and outside assignment, offered supporting materials, and asked that the record accurately preserve those positions. The morning minute order later recorded affirmative "Judge Pro Tem/Commissioner" stipulation and other materially disputed recitals; Hodgkins recused himself hours later without explaining the ground or correcting the morning record. Two separately verified percipient accounts now describe the material exchange, and the represented existence, classification, and present status of a court recording for the Presiding Judge remain subjects requiring verification.

B. Dini - Documented Notice and Deemed-Stipulation Comparator

An October 24, 2023 minute order involving Marina Dini identifies her as Judge Pro Tem and records both posted and verbal notice of the right to have the matter heard before a commissioner or judge before the parties were deemed to have stipulated under Rule 2.816. The proceeding is used as a compliance comparator because the record expressly identifies temporary-judge status, the notice mechanism, the alternative judicial posture, and the resulting deemed stipulation. It demonstrates that Riverside possessed an operational method capable of making the capacity transition visible on the record.

C. Firetag - Express Non-Stipulation and Reassignment

In the Firetag family-law proceedings, the supplied record contains recurring generic entries stating that parties stipulated to Commissioner Nicholas Firetag. A later separately captioned written non-stipulation expressly challenged that practice. The court responded by vacating the Firetag trial setting and assigning the matter for hearing or reassignment. The episode is relevant because it shows that Riverside treated express non-stipulation as operationally consequential, even though later procedural rulings did not resolve the historical accuracy of earlier generic stipulation entries.

D. Newstrom and Lafferty - Non-Stipulation, Triggered Review, and Contrary Certification

On November 9, 2023, Commissioner Gareit Newstrom expressly addressed Judge Pro Tem status, recorded Bridget stipulating and Grant not stipulating, stated that she would issue recommendations rather than final rulings, and advised the Family Code section 4251 objection process. The docket then records section 170.1/170.3 challenges to Newstrom on November 27 and 29 and to supervising Judge Sean Lafferty on December 1 and 4, followed by orders striking those challenges. Newstrom issued recommendations on January 3, 2024. On January 11, the docket records Grant's FL-666 objection and proof of electronic service; on January 18, Lafferty signed an FL-667 checking that no timely objection had been filed, ratifying the recommendations, and setting no de novo hearing. The second page's clerk certificate of mailing is uncompleted. The sequence is used as a document-controlled test of whether a recognized limitation on commissioner authority and an expressly invoked statutory review right were later neutralized through a contrary record certification. The timing of the disqualification challenges is relevant to institutional notice and potential retaliatory context, but does not by itself establish motive.

E. Kirk - Judicial Review, Record Disputes, and Procedural Closure

The Kirk materials show Rule 2.816, stipulation, commissioner-authority, and record-integrity allegations being placed before a superior court judge after the Firetag, Newstrom, and Lafferty events. The supplied records and declaration-supported accounts raise disputes concerning the preservation of objections, simultaneous or differently characterized proceedings, courtroom access, threatened contempt, and later nunc pro tunc activity. Those matters remain dependent in significant part on court-controlled audio, reporter, Zoom, calendar, clerk, and metadata records. The case study is used to evaluate how a previously identified authority-and-record challenge was received, narrowed, corrected, or left unresolved at the superior-court level.

F. Mathis - Evidence Access and Treatment of Unresolved Authority Issues

The Mathis materials provide a second superior-court comparator. Declaration-supported accounts describe restrictions on witness or support participation, evidence access, microphone use, and the ability to make a complete record, followed by later treatment of the commissioner-authority issue as having already been heard or decided without a supplied reasoned order resolving the full constitutional theory. Objective timing and appearance conflicts identified in the records can be tested through official audio, reporter notes, electronic appearance data, exhibit logs, and clerk records. The significance is not presumed motive, but whether procedural and record-control mechanisms made meaningful review of the underlying authority question more difficult.

G. Garcia-Rodrigo / Wafajow - Capacity Identification Through Enforcement

In Wafajow v. MacKenzie, a pretrial assignment notice identified Candice Garcia-Rodrigo as a judge, while the trial minutes identified her as a commissioner and recorded that all parties stipulated. The supplied record also shows a represented plaintiff, a self-represented defendant, a final unlawful-detainer judgment, an emergency verified writ challenging commissioner authority and the stipulation recital, a summary appellate denial without stated reasons, and subsequent Sheriff enforcement. No supplied record establishes the Rule 2.816 notice or the Rule 2.818 waiver records that would resolve the facial questions identified by the report. This comparator illustrates how a disputed capacity and consent record can pass through trial, appellate, clerk, and enforcement systems and become practically irreversible before the foundational issue is explained.

Taken together, the case studies present neither one identical factual script nor a collective finding of culpability. They provide successive operational tests of the same institutional machinery. The legal question is therefore addressed next on its own terms before the report returns to the individual proceedings in detail.

II. ISSUES PRESENTED AND FORENSIC METHOD

A. Questions Presented

1. What separates a commissioner's section 22 subordinate authority from temporary-judge power under section 21?
2. Which acts at misdemeanor arraignment may be performed as subordinate duties, and which require judge-level authority?
3. How may a commissioner lawfully transition into temporary-judge capacity, and what must the record show?
4. Do rules 2.810 through 2.819 govern the attorney when acting in the distinct temporary-judge capacity, notwithstanding concurrent SJO employment?
5. What does Riverside Local Rule 1060 establish, and what can it not establish?
6. Do Riverside's signs, oral procedures, and minute-order fields reliably communicate and preserve temporary-judge stipulation?
7. Does the Department 2K recording represented by Hodgkins actually exist; if so, was it created as an official electronic record under Government Code section 69957(a) or as an internal monitoring recording under section 69957(b), what notice and retention rules applied, and what authorized review has occurred?
8. What do the Firetag, Newstrom, Lafferty, Kirk, Mathis, Garcia-Rodrigo, appellate, clerk, and Sheriff records demonstrate about institutional knowledge, record creation, objection, review, enforcement, and correction?
9. What is the effect of rule 2.818(b)(3) in the supplied unlawful-detainer comparator, and what waiver or presiding-judge records would be required to rebut the facial limitation?
10. What conclusions are best supported concerning isolated error, defective automation, reckless institutional practice, intentional falsification, and possible coordinated misconduct?
11. How do the findings affect Levi's pending case, public confidence, due process, and public-funding representations?
12. Which officers and agencies must preserve, investigate, correct, report, audit, and progressively remediate the condition?

B. Evidentiary Classification and Confidence Terms

The report does not assign equal weight to every assertion. Court-generated records establish what the institution officially represented. A verified declaration establishes sworn testimony from a person asserting personal knowledge; materially consistent declarations from two percipient witnesses increase corroborative weight but do not become conclusive merely because they agree. Here, Levi's and Grant's separately verified accounts materially corroborate the prepared questions, the preexisting written statement, express non-stipulation, the recusal and venue requests, the rejected proffer, the court-entered plea, the reporter discussion, the recording representation, and multiple minute-order discrepancies. The minute order independently identifies William R. Adams and A. Eubanks as institutional participants. Photographs establish the language visibly displayed, subject to authentication and date. Docket entries establish that a document was recorded as filed. Institutional notices establish transmission or receipt to the extent shown by service records, but not automatically individual review. Hodgkins's statement that a recording existed establishes the representation; the actual existence, statutory classification, content, and retention of any recording remain unresolved until verified. Legal consequences remain questions of law.

Classification	Meaning
Established	Directly shown by court-generated, authenticated, or otherwise independently verifiable evidence.
Strongly supported	Confirmed by multiple material sources with little persuasive contrary evidence in the supplied record.

Classification	Meaning
More probable than not	The evidence favors the conclusion over the competing explanations.
Highly probable	The evidence strongly favors the conclusion although a material confirming source remains unavailable or court-controlled.
Prima facie intentional-misconduct condition	Evidence sufficient to require independent inquiry into knowing falsification, reckless ratification, deliberate indifference, or concealment.
Unresolved pending identified production	The matter can be confirmed or disproved through specifically named evidence.

These are forensic confidence descriptions, not substitutes for the legal burdens applicable to criminal, civil, disciplinary, administrative, or appellate proceedings. The report nevertheless reaches determinate present conclusions and identifies evidence capable of increasing or decreasing their probability.

C. Treatment of Omission and Negative Evidence

An omission is not automatically proof of misconduct. It becomes probative when the omitted matter was expressly raised, necessary to decide authority or relief, ordinarily recorded in comparable proceedings, displaced by a contrary recital, repeated across cases, beneficial to the disputed exercise of authority, and capable of preventing review. Under those conditions, selective silence is affirmative circumstantial evidence of a process designed, maintained, or tolerated to avoid preserving the issue.

III. CONSTITUTIONAL, STATUTORY, AND PROCEDURAL FRAMEWORK

A. Article VI, Sections 21 and 22 Create Distinct Capacities

Article VI, section 22 permits the Legislature to provide for commissioners and referees to perform subordinate judicial duties. Article VI, section 21 permits a court to order a cause tried by a temporary judge who is a State Bar member, sworn and empowered to act until final determination, on stipulation of the parties litigant. The provisions identify different sources of authority. One is an appointed subordinate office. The other is an alternate adjudicative capacity activated through party agreement.

The same attorney may hold both statuses, but concurrent eligibility does not merge them. Code of Civil Procedure section 259 confirms the separation by listing commissioner duties and separately authorizing temporary-judge service when the commissioner is qualified, appointed for that purpose, and supported by the required party consent. California's own judicial-reform history independently confirms the same architecture. California Law Revision Commission Staff Memorandum 2002-32 explained that a temporary judge is not the same as a subordinate judicial officer, that temporary-judge authority is broader and derives from article VI, section 21 rather than section 22, and that when a commissioner serves as a temporary judge the commissioner is acting in the temporary-judge capacity rather than as commissioner. The Judicial Council/AOC Subordinate Judicial Officer Working Group likewise described section 22 delegation as distinct from section 21 temporary-judge assignment requiring stipulation. These materials are historical institutional analyses rather than controlling precedent or formal rulemaking history of current rule 2.810; their significance is that they independently recognized the dual-capacity structure decades before the disputes examined here.

B. Act-Specific Authority at Misdemeanor Arraignment and Plea

Government Code section 72190.1 authorizes a commissioner, when directed by the presiding judge, to conduct arraignment proceedings on a complaint. The statute identifies the proceeding but does not define every act within it as subordinate. California Attorney General Opinion No. 83-913, published at 67

Ops.Cal.Atty.Gen. 162 (1984), directly construed section 72190.1 and concluded that a commissioner who is not acting as a temporary judge may be assigned only subordinate judicial duties at arraignment. As a published Attorney General construction of the exact statute and constitutional boundary presented here, it is directly persuasive, and its analysis has been acknowledged in Riverside appellate history.

Penal Code section 988 describes arraignment as reading and delivering the accusatory pleading as required and asking whether the defendant pleads guilty or not guilty. Penal Code section 1024 further provides that if the defendant refuses to answer by demurrer or plea, a plea of not guilty must be entered. Opinion No. 83-913 therefore distinguishes the legal effect of the plea received: taking and entering a guilty or nolo contendere plea is a critical, dispositive act that waives trial rights and cannot be classified as subordinate, while taking and entering a not-guilty plea preserves the controversy and may be performed by a commissioner as a subordinate duty. The 2002 Judicial Council/AOC SJO Working Group independently adopted the same boundary. It treated arraignment and acceptance of a not-guilty plea as appropriate subordinate duties, but rejected expanding SJO authority to guilty pleas because such a plea terminates the criminal controversy, requires waiver of the right to trial, and may lead to imprisonment. That Working Group included judges, commissioners, a district attorney, a public defender, court executives, and attorneys from across California, including then-Presiding Judge Christian F. Thierbach of the Riverside County Superior Court. The Report does not treat the Working Group's policy recommendations as binding law; it treats them as high-value institutional confirmation that the guilty-plea boundary and the commissioner/temporary-judge distinction were recognized within California judicial administration long before this litigation.

Riverside-specific history is consistent with that separation. In *Municipal Court for the Mount San Jacinto Judicial District of Riverside County v. Superior Court* (Apr. 26, 1994, E013824) (4th Dist., Div. 2), the court addressed a Riverside misdemeanor system in which a commissioner conducted arraignments but could exercise the greater power to sentence only when the parties stipulated to temporary-judge authority. The opinion treated commissioner arraignment functions and temporary-judge sentencing power as separate, recognized that an express refusal to stipulate could not be neutralized merely by nonappearance, and cited the Attorney General's section 72190.1 analysis when discussing plea authority. The case is therefore a particularly relevant local comparator for the proposition that one courtroom session may contain acts arising from different sources of judicial authority.

Applied to Department 2K, the Report does not predicate an authority defect merely on Hodgkins's entry of a not-guilty plea after Levi declined to tender a plea; section 1024 and Opinion No. 83-913 provide substantial authority for that protective entry as a subordinate act. The legally significant point is narrower and stronger: Levi expressly asked the capacity in which Hodgkins would accept a guilty or no-contest plea, Hodgkins selected commissioner status, and the resulting record then represented a Judge Pro Tem/Commissioner stipulation that the verified accounts say Levi expressly withheld. The authority inquiry therefore remains focused on the represented capacity for dispositive acts, the existence and scope of any section 21 stipulation, and the accuracy of the record that purported to memorialize those predicates.

C. Rule 2.816 and the Dual-Capacity Question

Rule 2.810 states that rules 2.810 through 2.819 apply to attorneys who serve as court-appointed temporary judges and do not apply to subordinate judicial officers. The strongest opposing construction treats SJO employment as a personal exemption that follows the attorney into temporary-judge service. The capacity-based construction reads the exclusion according to the authority exercised: the rules do not govern the attorney merely while performing section 22 subordinate duties, but they govern the same attorney when assigned to exercise the section 21 power of a court-appointed temporary judge.

The Report concludes that the capacity-based construction better harmonizes the governing authorities. It gives operative effect to the rules' application to attorneys who serve as court-appointed temporary judges; preserves the constitutional separation between article VI, sections 21 and 22; avoids transforming SJO

employment into a categorical exemption from safeguards attached to section 21 power; and accords with rule 10.700, which permits an SJO to sit as temporary judge only where lawful. Rule 10.703 likewise recognizes that an SJO may remain an SJO by employment status while acting in a different temporary-judge capacity. The constitutional question is therefore not who employs the attorney, but what authority the attorney is exercising in the particular act or proceeding.

The Report deliberately preserves the capacity-based construction as its reasoned legal determination. Rule 2.810 supplies a substantial status-based textual counterargument because it states that rules 2.810 through 2.819 do not apply to subordinate judicial officers. The institutional lineage of current rule 10.700 nevertheless reinforces that SJO status and temporary-judge service were historically treated as distinct operational roles: the 2002 Working Group described then-new rule 6.609 as establishing subordinate duties as the SJO's primary role while permitting temporary-judge assignment only where lawful, and rule 10.700 is the renumbered successor to rule 6.609. Read together with article VI, sections 21 and 22, Code of Civil Procedure section 259(d), rule 5.536, Family Code section 4251, and Riverside's own notices, that history supports the Report's conclusion that operative capacity matters. Preserving the issue in developed form permits trial and appellate review without making the independent record-integrity findings depend on this construction being accepted.

Rule 5.536 provides the clearest operational model. An attorney referee performs subordinate duties under section 22. Upon party stipulation under rule 2.816, the attorney may act as a temporary judge under section 21 with the powers of a juvenile-court judge. The rule would be incoherent if SJO employment categorically prevented rule 2.816 from governing temporary-judge service.

Rule 2.816 places notice before deemed stipulation. Before the proceeding, the court identifies that a temporary judge will hear the calendar, provides the name and State Bar qualification, and discloses the right to have the matter heard before a judge, commissioner, or referee. If the court relies on signage, the sign must be accompanied by same-day oral, audio, or video notification. Only after that notice may failure to object be deemed stipulation.

The sequence protects both autonomy and record reliability. It defines the proposition before silence is assigned legal meaning. The litigant is not required to discover from a local rule, a courtroom title, or a later minute order that participation was being treated as consent to a different constitutional office. The court bears the burden of announcing the temporary-judge proposition because the court selected the attorney, designed the calendar, prepared the sign, controls the oral script, and will later certify the result.

Rule 2.817's disclosure requirements and rules 2.818 and 2.819's disqualification safeguards reinforce the same legislative policy: greater judicial power is accompanied by qualification, disclosure, limitations, and continuing accountability.

D. Express, Deemed, and Tantamount Stipulation

People v. Tijerina (1969) 1 Cal.3d 41 establishes that valid temporary-judge service in some matters does not supply authority in another matter lacking stipulation. *In re Horton* (1991) 54 Cal.3d 82 permits agreement to be proven through knowledgeable and willing participation, but does not eliminate the constitutional agreement. *People v. Oaxaca* (1974) 39 Cal.App.3d 153 applied implied stipulation to a developed plea and sentencing record involving representation, negotiated disposition, participation without objection, and acceptance of the result.

Michaels v. Turk (2015) 239 Cal.App.4th 1411 and *In re Marriage of McClintock and Djulus* (2017) 10 Cal.App.5th 1042 emphasize the evidentiary predicate: awareness of the officer's status and conduct objectively demonstrating agreement must appear in the record. Possible signage, local custom, or a litigant's mere presence is not self-proving. *In re Steven A.* (1993) 15 Cal.App.4th 754 further requires attention to scope.

The record should identify the attorney, temporary-judge capacity, scope, timing, and factual basis of stipulation with enough specificity to permit later review. A bare recital that the parties "stipulate to Commissioner" is not, standing alone, self-proving of the constitutional predicate because parties do not create the commissioner office by agreement. The relevant question is whether the record demonstrates awareness that the named commissioner would exercise article VI, section 21 temporary-judge authority and conduct objectively manifesting agreement to that authority for the identified hearing, act, stage, or cause. Horton and Oaxaca permit agreement to be inferred from knowledgeable and willing participation; they do not authorize a contrary recital to override an express non-stipulation or to supply awareness the record does not otherwise show.

E. Rule 2.818 and the Unlawful-Detainer Limitation

Rule 2.818(b)(3) prohibits an attorney from serving as a court-appointed temporary judge in a family-law or unlawful-detainer case when one party is self-represented and the other party is represented by counsel or is an attorney. The presiding judge may waive the limitation for good cause. A temporary judge may also proceed after the basis is disclosed on the record and all parties and attorneys execute and file a knowing written waiver that recites the basis. The rule is not an automatic disqualification in Levi's misdemeanor case; it is directly material to the Wafajow unlawful-detainer comparator and confirms the Judicial Council's heightened protection for self-represented litigants.

The supplied Wafajow record identifies the plaintiff as represented and Grant as self-represented, identifies the adjudicator in the minute order as Commissioner Candice Garcia-Rodrigo, and records that all parties stipulated to the commissioner. The assignment notice mailed before the remote trial instead identified Garcia-Rodrigo as a judge. No supplied record contains a rule 2.816 notice, a presiding-judge good-cause waiver, disclosure of the rule 2.818 limitation, or the written waiver described in rule 2.818(c). Those records may exist outside the supplied exhibit and must be produced before a final legal conclusion is assigned. Their absence from the operative documents, combined with the title discrepancy, materially weakens any claim of knowing waiver.

If no lawful presiding-judge waiver or filed party waiver exists, and if the commissioner exercised temporary-judge power to conduct the trial and enter judgment, the rule 2.818 limitation supplies an independent defect in addition to the disputed section 21 stipulation. If such waiver records exist, their timing, disclosures, signatures, and filing history must be compared with the assignment notice and minutes. This is a binary, document-resolvable inquiry, not an issue that should be left to presumed regularity.

Family Code section 4251 supplies a separate legislative implementation for child-support commissioners. The commissioner acts as temporary judge unless a party objects; after objection, the commissioner issues recommendations and a judge supplies de novo review upon timely objection. Historical institutional materials describe the same switch in capacity. The 2002 Law Revision Commission staff memorandum characterized a child-support commissioner as acting as temporary judge unless a party objects, in which event the commissioner acts in the subordinate posture. The 2002 Judicial Council/AOC Working Group likewise reported that family-law SJOs routinely served as temporary judges and stated that, when assigned in that role, their authority depended on the parties' stipulation. These materials do not govern Levi's misdemeanor proceeding, but they strongly corroborate the structural premise that one officer may move between distinct sources of authority and that objection changes the permissible adjudicative posture. Accurate recording of the objection is therefore indispensable.

The report recognizes that the status-based interpretation has appeared in noncitable or incompletely reasoned dispositions and may be asserted by the court. Those decisions are not relied upon as authority. More importantly, the report's independent conclusion survives even if that interpretation is adopted: article VI, section 21 and section 259(d) still require stipulation, and an express non-stipulation cannot be converted into agreement by title, silence following incomplete notice, standardized minute language, or compelled participation after objection.

F. Record Integrity Is an Independent Requirement

Even if the court prevails on every disputed interpretation of commissioner authority, it cannot lawfully record a stipulation that was not given, erase an express objection, combine distinct procedural remedies into one question, or certify the absence of a filing that the docket records. A minute order is evidence of what the institution recorded; it does not make the underlying constitutional fact self-proving.

California courts possess authority to correct clerical records so that they reflect what actually occurred. Due process also requires a meaningful opportunity to present evidence and argument. Where the institution controls the audio, minutes, templates, filing queue, and service record, the integrity of those systems is a threshold public obligation rather than a burden that can be shifted entirely to a self-represented litigant.

G. Government Code Section 69957 and the Recording-Classification Question

Government Code section 69957(a) authorizes a court, when an official reporter or reporter pro tempore is unavailable and approved equipment and monitors are available, to order electronic recording in limited civil, misdemeanor, and infraction proceedings. The statutory description expressly includes arraignments, pleas, and sentences, and permits a transcript derived from the electronic recording to be used when a transcript is required. California Rules of Court, rule 2.952 supplies procedures for electronic recording when it is ordered as the official record.

Section 69957(b) creates a separate exception for the internal personnel purpose of monitoring the performance of subordinate judicial officers, hearing officers, and temporary judges while courtroom proceedings are conducted. The statute requires notice to the officer and litigants that recording may occur for that purpose; prohibits use of such a monitoring recording for another purpose or public release; and requires destruction after two years unless a performance-related personnel matter is pending. Rule 10.745 separately requires regular review of court-appointed temporary-judge performance and recognizes audiotaping as one available review method.

The two frameworks should not be conflated. A recording cannot be treated simultaneously as an unrestricted official record and a restricted internal monitoring recording without identifying the legal basis for each use. Nor does the restriction on external or unrelated use of a subdivision (b) monitoring recording prevent the Presiding Judge or other duly authorized court personnel from reviewing it within the monitoring and performance-review function for which it was created. In this case, Hodgkins's reported description makes the classification question concrete, but the report does not presume the answer. Verification should establish whether a recording exists, which statutory authority governed it, what notice was given, whether any review occurred, and what retention or destruction obligations apply.

IV. COMPETING CONSTRUCTIONS AND RIVERSIDE OPERATIONAL FRAMEWORK**A. Strongest Opposing Construction: Status-Based Exemption and Administrative Regularity**

The strongest contrary position is that a commissioner assigned under Government Code section 72190.1 may conduct all ordinary components of a misdemeanor arraignment; Riverside commissioners are qualified, appointed, and sworn as temporary judges under Local Rule 1060; rule 2.810 excludes SJOs from rules 2.810 through 2.819; article VI, section 21 permits implied stipulation; and a defendant who knows a commissioner is presiding and proceeds without timely objection may be deemed to have consented to temporary-judge power. General administrative regularity, high-volume calendar needs, counsel's familiarity, and longstanding local practice are offered in support.

The position has force only where the record establishes informed, voluntary conduct and no timely contradiction. It is strongest in a developed record like Oaxaca. It is weakest where the temporary-judge proposition was not disclosed, the litigant expressly distinguished the capacities, non-stipulated before the act, offered evidence, and requested preservation. Administrative convenience cannot establish agreement, and standing appointment cannot supply a fact assigned by the Constitution to the parties.

B. Why the Report Concludes the Capacity-Based Construction Better Harmonizes the Governing Authorities

Against that constitutional, statutory, and institutional history, the status-based construction gives controlling effect to the officer's employment classification even when the officer exercises section 21 power. The Report instead reads the scheme from the authority exercised. Code of Civil Procedure section 259(d), the 2002 Law Revision Commission and Judicial Council/AOC materials, the historical lineage of rule 10.700, rule 5.536, Family Code section 4251, and Riverside's own notices all recognize a meaningful transition between subordinate duties and temporary-judge service. The Report does not claim that current rule 2.810 expressly resolves the disputed construction; it concludes that the capacity-based reading better harmonizes the full framework while preserving the issue for judicial review.

Riverside's operations further undermine categorical exemption. Some commissioner signs expressly cite rule 2.816, article VI, section 21, and section 259(d). Local Rule 5145(A)(2) describes a commissioner hearing matters as temporary judge pursuant to stipulation and prescribes recommendations upon non-stipulation. The Dini and Newstrom records document notice and differentiated consequences. The institution therefore cannot coherently treat rule 2.816 as material when useful and nonexistent when challenged.

C. Independent Third Track: The Result Does Not Depend on the Scope Dispute

The central record-integrity findings remain even if the status-based theory is accepted. The Department 2K order could not accurately state that Levi stipulated if he expressly requested the opposite be recorded. His refusal of section 170.6 could not be transformed into refusal to non-stipulate. A discussion of obtaining a reporter could not accurately be converted into a formal inquiry and affirmative election without a factual basis. Detailed advisements could not be recorded as given if they were not given. And Hodgkins's statement that the proceeding was being recorded for the Presiding Judge creates a separate, verifiable factual question whether such a recording exists and how it was classified. Lafferty likewise could not accurately certify that no timely FL-666 objection existed if the court's own docket shows filing and service within the period. A template cannot create a constitutional fact, and a legal misunderstanding does not make a contrary factual certification true.

This third track prevents the analysis from becoming captive to a single disputed interpretation of rule 2.810. It also supplies the clearest basis for immediate preservation, correction, and independent review in Levi's case and the comparative proceedings.

D. Local Rule 1060 and Nonuniform Commissioner Notices

Riverside Local Rule 1060 states that all commissioners are appointed as temporary judges and that their oaths are maintained by the court. The rule establishes eligibility and institutional appointment. It does not state that every litigant in every cause has stipulated, identify the scope of consent, or convert commissioner assignment into continuous section 21 power.

The signage evidence shows materially different notices. The Belinda Handy notice states that the commissioner may act as a temporary judge, cites article VI, section 21, section 259(d), and rule 2.816, and treats non-objection as stipulation through final determination. The Department 2K notice states only that, absent objection, all matters will be heard by Commissioner James Hodgkins. It does not identify temporary-judge capacity, State Bar qualification, the right to another authorized officer, the legal effect of silence, or the scope of any deemed stipulation.

These notices do not present the same proposition. The differences make it unreliable to derive the same standardized constitutional consent from each. They also constitute operational evidence that Riverside itself understands rule 2.816 to be relevant to commissioner temporary-judge service.

E. Court Records as the Operational Machinery of Authority

The disputed practice is not limited to an oral advisement. It is a chain of institutional acts: assignment identifies the officer; signage and oral scripts describe the capacity; a clerk or courtroom assistant records the

response; a template characterizes the response as express, deemed, or implied stipulation; the minute order becomes the accessible official history; later officers rely on that history; and enforcement agencies treat resulting orders as lawful. A defect at the beginning can therefore propagate through the entire system.

The phrase 'all parties stipulate to Commissioner' is especially consequential. It simultaneously obscures the distinction between office and capacity, omits the scope and method of assent, and creates the appearance that every person affirmatively agreed. If the entry is a default field rather than an individualized finding, it can create authority rather than memorialize it. If the field is knowingly retained after objection, the record becomes an instrument for defeating the objection.

A comparable problem arises when an order combines 'Peremptory Challenge or Non-Stipulation.' The two are not alternative names for one event. A litigant may decline a peremptory challenge because the litigant wishes to preserve a for-cause record or because non-stipulation already removes temporary-judge power. Combining the terms permits a negative answer to one procedure to be reported as surrender of the other. The Department 2K order demonstrates the practical danger.

The reporter-election recital illustrates the same architecture in a different form. The underlying exchange included a discussion of the absence of a reporter and the possibility of obtaining one. The resulting minute order converts that discussion into a formal inquiry followed by an affirmative election to 'proceed forthwith.' Whether that conversion reflects a standard field, courtroom shorthand, clerk interpretation, or a deliberate factual finding can be determined from the template, source notes, audit history, and any represented recording. The forensic concern is not that standardized fields exist; it is whether they are populated in a manner that creates legal propositions more definite than the actual exchange.

The record system must also preserve rejected or deferred proffers. A court may conclude that a filing is procedurally premature or that a motion requires notice. But if the court continues to make factual findings about the very issue supported by the proffer, the minutes should identify that materials were offered, what relief was requested, and how the proffer was handled. Otherwise, procedural control becomes evidentiary erasure.

V. APPLICATION OF THE FRAMEWORK TO RIVERSIDE COUNTY CASE STUDIES

A. Levi MacKenzie: Department 2K Arraignment and Resulting Record

1. Pre-Arraignment Context

Levi's prosecution arose from an April 30, 2025 courthouse encounter while he was acting as a process server and attempting to serve Judge Kristi Kirk with a statement seeking disqualification. The papers addressed the same commissioner, temporary-judge, record-integrity, and judicial-accountability issues examined here. Levi's proof of service and the Sheriff's account agree on the purpose of his presence but materially differ regarding the manner of service, commands, physical contact, and alleged resistance. The filed misdemeanor complaint ultimately charged Penal Code section 148(a)(1). This report does not determine that charge.

According to the declaration-supported chronology, Levi appeared on the citation date but no criminal case was then filed or calendared. He later served Sheriff Court Services with a cease-and-desist and preservation notice concerning the same institutional allegations. The complaint was filed on August 27, 2025, and a warrant process followed. By the time of the July 2026 arraignment, notices had also been directed to Riverside judicial leadership, Larson Justice Center departments, Commissioner Hodgkins, Judge Hester, Judge Kirk, the District Attorney, the Public Defender, and Sheriff Court Services. The extent of individual receipt and review remains an evidence question; institutional transmission is extensively documented.

This institutional connection does not transform the misdemeanor case into a trial of every allegation against Riverside. It does make assignment, impartiality, preservation, discovery, venue, and record accuracy

threshold matters. The same public institutions whose procedures were challenged control the courtroom, recording system, minute-order process, courthouse security evidence, prosecution, and assignment of the pending case.

2. Initial Arraignment Proceedings

On July 16, 2026, Commissioner Hodgkins called Levi's matter in Department 2K. Levi was self-represented but advised that he might later retain counsel or use the Public Defender. The complaint had not yet been provided. Hodgkins gave a general rights advisement, including rights to trial, confrontation, witnesses, silence, counsel, and a court reporter. Levi acknowledged understanding the rights actually read to him. Both Levi and Grant affirmatively distinguish that general advisement from the more detailed plea-consequence, sentencing, 30/45-day speedy-trial, dismissal, consent, and temporary-judge advisements later reflected or implicated by the minute order. After receiving and reviewing the complaint, Levi declined to waive formal arraignment and advisement and stated that he wished to ask questions before entering any plea.

The official minute order identifies Deputy District Attorney William R. Adams as appearing for the People. Levi and Grant separately identify Adams as the prosecutor who physically participated in the arraignment, including the exchange concerning delivery of the complaint and redaction of the police report, and both describe speaking with him afterward concerning discovery. That evidence does not establish that Adams agrees with their account. It makes him an independently identifiable percipient source who may confirm, qualify, or dispute material portions of the proceeding. The minute order also identifies Courtroom Assistant A. Eubanks, and the morning calendar included other attorneys and court personnel who may possess relevant recollection. Levi and Grant also state that, while seated with other waiting attendees before Levi's matter was called, they heard two attorneys participating in the misdemeanor calendar address Hodgkins as 'Judge' and heard no correction by Hodgkins, counsel, or court staff. Each identifies one of those attorneys as among the participating Public Defender attorneys; each believed the second was also participating with the Public Defender, while not excluding the possibility that the second was a deputy district attorney. Both therefore identify the speakers as institutional counsel participating in the official misdemeanor calendar rather than private attorneys. The Report does not treat this courtroom honorific as proof that Hodgkins represented himself as a judge or that temporary-judge authority existed; it is treated only as contextual evidence of terminology and capacity ambiguity when considered with the commissioner-only signage, the absence of a separate temporary-judge advisement in the two verified accounts, and the later hybrid 'Judge Pro Tem/Commissioner' minute-order recital.

3. The Three Prepared, Progressively Narrowing Questions

The questioning sequence is the evidentiary center of the case study. It was not conversational or improvised. Each question tested a different level of the court's process and narrowed the range of possible explanations before Levi made his prepared statement.

The diagnostic sequence reflected in the verified arraignment accounts.

First question - individualized completeness: "If I enter a guilty or no contest plea, has the court provided me all timely notices that I need before giving a guilty pleading?" After clarification, Hodgkins answered: "I believe they have been."

Second question - similarly situated defendants and general practice: "Are there any advisements similarly positioned misdemeanor defendants receive before they give a guilty or no contest pleading, to the presiding commissioner, that I haven't received?" Hodgkins answered: "Not that I'm aware of."

Third question - the precise constitutional capacity: "If I were to give a guilty or no contest pleading, would you be accepting my pleading as a referee, commissioner, or a temporary judge?" Hodgkins answered: "I'm a commissioner."

The first answer represented the individualized procedure as complete. The second represented that completeness as consistent with the treatment of similarly situated misdemeanor defendants. The third isolated the legal capacity that would support acceptance of a dispositive plea. In context, Hodgkins did not merely state his employment title. Levi expressly offered three alternative capacities for the act of accepting a guilty or no-contest plea, and Hodgkins selected commissioner status.

The sequence therefore produced a concrete institutional proposition before the legal dispute was announced: the court considered its advisements complete; Hodgkins knew of no different notice for comparable defendants; and Hodgkins identified section 22 commissioner status, rather than section 21 temporary-judge status, as the posture in which the dispositive plea would be received. Whether that answer was legally correct, imprecise, or evidence of capacity conflation is analyzed below. It cannot be reduced to an incidental exchange.

The sequence materially changed the evidentiary value of what followed. Because Hodgkins did not identify later additional advisements or temporary-judge capacity, the exchange narrowed the dispute from timing to system design: the process was represented as complete, generally applied to comparable misdemeanor defendants, and performed in commissioner capacity. The answers therefore function as evidence of the challenged practice rather than incidental wording.

Levi's prepared statement then applied those answers to article VI, section 21, section 259(d), rule 2.816, the posted notice, prior Riverside records, disqualification, and venue. Most importantly, the written statement warned before the minute order existed that Riverside records had reflected or implied stipulation despite omitted advisements and expressly requested that Levi's own objection and non-stipulation be accurately preserved. Grant independently corroborates that request. The resulting contrary recital therefore has heightened forensic significance, while authorship, mechanism, knowledge, and intent remain for the recording, clerk notes, template history, audit trail, and testimony.

Three explanations remain material: Hodgkins may have believed section 72190.1 authorized dispositive pleas in commissioner capacity; he may have used "commissioner" as shorthand for an already activated temporary-judge capacity; or he may have described a local practice that operationally conflates the capacities and relies on later minute-order language to supply the temporary-judge recital. The first raises the act-specific constitutional question, the second requires proof of activation and scope, and the third is the systemic condition examined here.

4. The Represented Court Recording: Existence, Classification, and the Attempt to Make a Record

After the three questions, Levi stated that he wished to make a record before entering a plea. Hodgkins explained that no court reporter was present and discussed obtaining or requesting a reporter and putting the arraignment over as an alternative to proceeding. He also expressly represented that the proceeding was being recorded, that the recording could not be used by Levi or others, and that it was for use by the Presiding Judge. Levi then asked to make his threshold record and proceeded. Grant materially corroborates the substance of that exchange. The evidence presently establishes Hodgkins's representation that a recording existed; it does not independently establish that a recording file was actually created, successfully captured, retained, or remains retrievable.

Government Code section 69957 creates two materially different electronic-recording frameworks. Subdivision (a) permits, when an official reporter is unavailable and other statutory conditions are satisfied, an official electronic recording in a misdemeanor case, including arraignments, pleas, and sentences, from which a transcript may be prepared. Subdivision (b) separately permits electronic recording for the internal personnel purpose of monitoring subordinate judicial officers, hearing officers, and temporary judges if notice of that monitoring purpose is provided to the officer and litigants. A subdivision (b) recording may not be used for another purpose or made publicly available and ordinarily must be destroyed after two years unless a performance-related personnel matter remains pending. California Rules of Court, rule 2.952 governs

electronic recording when ordered as the official record; rule 10.745 separately recognizes audiotaping as a method for temporary-judge performance review.

Hodgkins's reported statement that the recording was for use by the Presiding Judge is consistent with, but does not prove, a section 69957(b) monitoring purpose. If the recording was made under subdivision (b), review by the Presiding Judge or other duly authorized court personnel within the internal monitoring and performance-review function is not prohibited by the restriction on other uses; that internal review is the statutory purpose for which the recording may be made. If the recording was instead an official electronic record under subdivision (a), its status, transcription, access, and preservation are governed by the official-record framework. The court should identify which statutory basis, if either, governed the July 16 recording and what notice, order, equipment, and retention procedures applied.

Existence must be verified rather than assumed. The court should identify the actual recording file or, if no file exists, preserve and produce the recording-system logs, equipment status, recording-control data, incident or technical reports, retention instructions, deletion records, and other information explaining whether recording was initiated, failed, was lost, or was destroyed. If no recording was created or retained despite Hodgkins's contemporaneous representation, that would constitute an additional factual or technical discrepancy requiring explanation. It would also be material to record integrity because Levi proceeded with his threshold presentation after being told that the court possessed a recording for Presiding Judge review. Whether any discrepancy resulted from misstatement, equipment failure, retention failure, or another cause cannot responsibly be assigned without the underlying technical and administrative records.

Given the material conflicts now identified between the minute order and two separately verified, materially corroborating percipient accounts, prompt verification and appropriate review of any existing recording is warranted. Review should occur within the governing statutory purpose and should be documented sufficiently to establish what was reviewed, by whom, under what authority, and what material discrepancies were confirmed or refuted. This report does not presume that a monitoring recording may be repurposed for unrelated litigation; it identifies verification, preservation, and authorized supervisory review as immediate forensic and institutional needs.

5. Levi's Prepared Threshold Statement and Offer of Proof

Levi expressly stated that he was not arguing the defense to the charge but was making a threshold record concerning due process, judicial authority, disqualification, venue, and retaliation. He described his arrest while serving Judge Kirk with a disqualification statement, prior notices concerning the commissioner/temporary-judge practices, and the asserted continuation of incomplete temporary-judge advisements. He invoked article VI, section 21, section 259(d), rule 2.816, and temporary-judge stipulation authorities; requested recusal and outside assignment; offered supporting documents; and asked that the minute order accurately preserve his objection and non-stipulation.

The preexisting written statement is itself an important authentication feature. Grant states that he reviewed it before court, retrieved it from Levi's backpack when the case was called, handed it to Levi, and watched him read from that same page. The statement's warning about inaccurate stipulation records and its request that Levi's own objection and non-stipulation be accurately preserved therefore predated the resulting minute order. This temporal sequence reduces the possibility that the core objection was reconstructed only after Levi saw the official record.

Hodgkins interrupted and reframed the issue as whether Levi was 'refusing to stipulate to a commissioner.' He stated that advisements were posted throughout the courtroom, deemed them sufficient, and stated that objection would result in assignment to a regular judge. Levi asked to complete his statement. Afterward, Hodgkins stated that the court would not entertain outside assignment that day and redirected Levi toward a peremptory challenge under Code of Civil Procedure section 170.6.

6. Refusal to Receive the Evidence and Procedural Diversion

Levi repeated that he wished to offer the documents. Hodgkins declined to accept them because the matter was at arraignment and noted that Levi had said the materials had already been served on the court. Hodgkins then again asked whether Levi wished to exercise section 170.6. Levi answered, 'No.' That answer addressed the identified peremptory-challenge question. It did not withdraw the prior temporary-judge non-stipulation, the for-cause recusal request, the venue request, or the offer of proof.

The distinction is critical. Non-stipulation under article VI, section 21 withholds the agreement needed to activate temporary-judge authority. Section 170.6 is a separate peremptory challenge. Sections 170.1 and 170.3 concern for-cause disqualification and self-recusal. Penal Code section 1033 concerns transfer for a fair trial. A single 'No' to section 170.6 cannot logically be expanded to reject non-stipulation or withdraw the other threshold requests.

The refusal to accept or lodge the proffer had a direct record effect. The court proceeded to generate formal findings concerning authority, stipulation, advisements, recusal, and venue while the documents offered to support Levi's account were excluded from the contemporaneous case file. In a proceeding without a reporter and with Hodgkins having represented that a court recording existed for Presiding Judge review, that decision magnified the evidentiary dominance of the court's own minute order unless and until the represented recording and other contemporaneous sources are verified.

7. The Court-Entered Not-Guilty Plea and Its Limited Legal Significance

Hodgkins returned to the plea inquiry. Levi did not answer guilty or not guilty. He stated, "I wish for another venue." Hodgkins responded that a venue motion was required and announced that the court would enter a not-guilty plea on Levi's behalf. Levi then stated that he was making a venue motion. The verified accounts therefore establish an important factual distinction: Levi did not personally utter or voluntarily tender the plea; the court entered it after Levi continued to press threshold relief.

That factual distinction should not be confused with the separate legal question of the commissioner's authority to make the protective entry. Penal Code section 1024 requires entry of a not-guilty plea when a defendant refuses to answer, and Opinion No. 83-913 concludes that such an entry is a subordinate judicial duty because it preserves rather than relinquishes the controversy. The Report therefore does not treat the not-guilty entry itself as the principal authority defect. Its significance is chronological and evidentiary: the prosecution advanced while Levi's express non-stipulation, capacity objection, for-cause recusal request, venue request, record request, and proffer remained unresolved, and the resulting minute order then characterized the authority and stipulation predicates in a materially disputed manner.

8. The Morning Minute Order

The morning order identifies Hodgkins as 'Commissioner.' It then states that the parties stipulated that the 'Judge Pro Tem/Commissioner' could hear the matter. The hybrid phrase combines the section 22 office with the section 21 capacity. It does not identify which authority governed which act, the scope of the alleged stipulation, the method of consent, or the words or conduct from which consent was derived.

The order further states that the court inquired whether Levi wished to file a 'Peremptory Challenge or Non-Stipulation to the Court' and that Levi declined. The two verified percipient accounts reflect no combined inquiry. They reflect express non-stipulation and a later refusal of section 170.6. The order therefore appears to reverse both the question and the answer: express non-stipulation becomes affirmative stipulation, and refusal of the peremptory remedy becomes refusal to non-stipulate.

The order also contains standardized advisement findings materially broader than the exchange described by both verified percipient witnesses. Those findings include plea consequences, statutory sentencing, the 30/45-day speedy-trial periods, dismissal, and the effect of consent to waive time. Both accounts affirmatively state that the detailed advisements did not occur. They acknowledge the general constitutional-

rights advisement that actually was given, including the general right to a speedy and public trial, and distinguish it from the more specific statutory recitals later entered in the minute order.

The current evidence permits a graded rather than categorical comparison of the minute order. Some entries are independently corroborated: the order identifies Deputy District Attorney William R. Adams, states that no court reporter was present, records Levi's venue or outside-assignment request, and states that the not-guilty plea was entered on the court's own motion. Other entries appear to formalize or expand an actual subject. Hodgkins discussed obtaining a reporter and putting the arraignment over, but Levi and Grant do not recall the formal inquiry and affirmative statement that Levi 'elects to proceed forthwith' later recorded in the minutes. Still other entries are affirmatively disputed by both witnesses, including the detailed speedy-trial, plea-consequence, and statutory-sentencing advisements. The order also omits Hodgkins's representation that the court itself was recording the proceeding for the Presiding Judge.

The plea-consequence discrepancy is particularly concrete because Hodgkins reportedly told Levi during the first prepared question that he could not advise Levi concerning the consequences of a plea because he was a judicial officer rather than Levi's attorney, while the minute order later recites that Levi was advised of plea consequences and statutory sentencing. The speedy-trial discrepancy likewise is not a dispute over whether the word 'speedy' was spoken: both verified accounts acknowledge the general speedy-and-public-trial advisement and specifically deny that Hodgkins explained the 30/45-day periods, dismissal consequence, or effect of consent later recited in the order.

The distinction among corroborated entries, expanded or formalized entries, affirmatively contrary entries, and omitted events is forensically important. It weighs against treating the entire dispute as either a wholly accurate minute order or a wholly fabricated record. It instead directs the inquiry to the mechanics of minute entry: which fields were defaults, which were manually selected, what source notes existed, who reviewed or approved the order, whether later edits occurred, and whether the represented recording or other contemporaneous evidence was consulted.

9. The Same-Day Recusal and Current Procedural Posture

Later the same day, with no parties present, Hodgkins recused himself on the court's own motion under Code of Civil Procedure section 170.3. The Department 2K pretrial setting was vacated and the case was reassigned. The afternoon order does not identify the ground for recusal, when it arose or became known, whether Levi's statement prompted review, or whether the morning acts and minute order were examined.

The recusal corrected prospective assignment but left the disputed historical record intact. It did not amend the stipulation recital, preserve Levi's actual non-stipulation, identify the refused documents, clarify the advisements, or explain the relationship between the morning request and afternoon action. The official case summary then recorded a not-guilty plea on July 16, 2026 and an active misdemeanor prosecution in Department 3T before Judge Kristi Hester.

The current case posture therefore rests on an arraignment record that is materially contested as to the constitutional source of authority, the existence of stipulation, the treatment of threshold objections, and the voluntariness of the recorded plea. Reassignment alone does not cure those issues or eliminate the need for preservation and independent review.

B. Dini: A Documented Compliance Comparator

An October 24, 2023 Dini minute order identifies Marina Dini as Judge Pro Tem and records posted and verbal notice of the right to a commissioner or judge before the parties were deemed to have stipulated under rule 2.816. The Dini record is important because it demonstrates that Riverside possesses a process capable of identifying temporary-judge status, notice method, the alternative, and deemed stipulation. Its existence weakens any claim that abbreviated commissioner-only notice is the court's only practical option.

C. Firetag: Express Non-Stipulation Produced Reassignment

The August 24, 2022 Firetag packet contains a separately captioned statement: 'No Stipulation to Commissioner or Pro Tem Judge.' Grant disputed earlier entries stating that all parties stipulated to Commissioner Nicholas Firetag and expressly withheld future stipulation. On September 1, the court issued an order 'In Response to Notice of Non Stipulation' assigning the case to Department H5 for hearing or reassignment and vacating the Firetag trial date.

The later order striking the accompanying disqualification statement addressed service, timeliness, repetition, and facial sufficiency. It did not determine that Grant had stipulated or that the earlier generic entries were accurate. The Firetag episode is therefore established institutional evidence that Riverside recognized express non-stipulation as operative and responded through reassignment.

The repeated Firetag minute entries stating 'All parties stipulate' remain relevant because some occur when Grant was recorded absent and because the later express non-stipulation disputed the historical practice. They do not alone prove each entry false, but they identify a standardized field requiring comparison with recordings, appearances, and contemporaneous objections.

D. Newstrom and Lafferty: Non-Stipulation, Triggered De Novo Review, and Contrary Certification

On November 9, 2023, Commissioner Gareit Newstrom's minute order recorded an oral advisement concerning Judge Pro Tem status, Bridget's stipulation, and Grant's non-stipulation. Newstrom stated that she would issue recommendations rather than final rulings and advised the objection procedure under Family Code section 4251. The order also states that the parties were advised of their right to object to the recommended order. This is not merely an abstract comparator: the court itself documented the capacity transition, Grant's refusal to stipulate, and the procedural substitute for temporary-judge adjudication. It is one of the clearest Riverside records showing that non-stipulation was understood to change the commissioner's adjudicative posture and preserve later judicial review.

The timing of what followed is independently relevant to institutional knowledge. The Register of Actions records section 170.1/170.3 challenges against Newstrom on November 27 and 29 and against Lafferty on December 1 and 4; orders striking those challenges followed on December 6 and 8. The supplied packet states that those challenges addressed Rule 2.816, Family Code section 4251, disputed stipulation records, and alleged systemic defects. Their filing does not establish the merits of those accusations or retaliatory intent. It does establish that formal challenges concerning the same authority-and-record issues preceded Newstrom's January 3 recommendations and Lafferty's later review, narrowing any claim that the January 2024 record conflict arose before those issues had been formally placed before the tribunal.

Newstrom filed recommendations on January 3, 2024. The Register of Actions records that Grant filed an FL-666 Notice of Objection and proof of electronic service on January 11, eight calendar days later. Under Family Code section 4251(c), after a party has objected to the commissioner acting as temporary judge, a timely objection to the recommended order triggers judicial review: the judge must issue a temporary order and schedule a hearing de novo within ten court days unless review is waived. Lafferty's January 18 FL-667 does not reject Grant's objection on stated merits. Instead, it checks the opposite factual predicate - that no objection had been filed within ten court days - ratifies the recommendations, and leaves the objection and de novo-hearing fields unused. The supplied record therefore does not show a reasoned denial of de novo review; it shows the statutory review safeguard being bypassed because the later court form certified that the docketed objection did not exist.

That conflict is unusually probative because both propositions are court-generated: the docket records the objection and service, while the signed review states that no timely objection was filed. The FL-667's second-page Clerk's Certificate of Mailing is uncompleted. A blank certificate does not conclusively prove that no notice was transmitted by any method, but it adds a separate notice question. The decisive evidence is the judicial queue, document-view history, clerk routing, FL-667 template and defaults, drafts, signature or

approval metadata, and mail or e-service logs. If the FL-666 was available to or opened by the reviewing court before the FL-667 was signed, knowing falsification or conscious disregard becomes substantially more probable; if it never reached the reviewing judge, the evidence instead identifies a serious routing and supervisory-control failure. Either result is material. Because the disqualification challenges and related notices predated these events, the chronology also supplies objective context for Levi's later concern that challenges to the same practices were followed by adverse procedural consequences. The report treats that chronology as notice and retaliation-context evidence, not as proof of retaliatory motive.

E. Judge Kirk: Continuation, Record Hardening, and Restricted Record Creation

The Kirk materials are relevant because they show the commissioner-authority and record-integrity allegations being placed before a superior court judge after the Firetag, Newstrom, and Lafferty events. Filed materials identified rule 2.816, alleged falsified stipulations, challenged jurisdiction and record accuracy, and requested disqualification, correction, and reporting. The Register of Actions also reflects later filings titled 'Evidence of Fraud on the Court - Hearings That Never Occurred,' 'Evidence of Falsifying Court Records,' and 'Evidence of Judge Kirk's Obstruction of the Administration of Justice and Fraud on the Court.' Those titles establish notice and presentation, not the truth of every allegation.

The February 26-28, 2024 records present objective questions that require source comparison. Minute entries describe appearances, continuances, and simultaneous hearing activity that the declaration-supported account says did not occur as recorded. Other records show Levi and Bridget physically appearing in a separate DVRO department at the same time the family-law minutes recorded telephonic or other appearances in Hemet. The conflict can be tested through courtroom audio, reporter logs, Zoom connection data, clerk notes, calendars, and metadata.

The Kirk record also reflects that Grant specially appeared, challenged jurisdiction, and attempted to present the issue; the minutes record admonitions and a threatened direct-contempt response. The declaration-supported account asserts that his Zoom connection was terminated, that proceedings continued without him, and that subsequent nunc pro tunc entries corrected selected notice defects while leaving the foundational commissioner and record issues unaddressed. Even without adopting the motive allegations, the sequence supports a finding that the court repeatedly controlled and narrowed the mechanism by which the challenge could be heard and preserved.

The February 28 record is particularly relevant to the ability to create a record. The minute order acknowledges Grant's special appearance and jurisdiction challenge, then records an admonition and threatened contempt if he continued comments the court considered disrespectful. It states that the court would not change its order and directed other issues to separate motion practice. The declaration-supported account contends that the admonition functioned to prevent a complete presentation of the commissioner, stipulation, and false-record theory. The audio and reporter transcript can determine whether the court allowed a meaningful opportunity to state the grounds or used courtroom-control authority to suppress them.

The later nunc pro tunc activity requires similar precision. Nunc pro tunc correction is proper when the written record fails to reflect an act actually taken; it is not a device to create an event retroactively or selectively repair only the portion of a record useful to enforcement. The Kirk records reportedly corrected hearing dates and notice-related information but left disputed appearances, objections, and foundational authority uncorrected. A technical audit should compare the original entry, source notes, audio, correction request, person authorizing the change, and final record.

Kirk's eventual receipt of the omnibus disqualification materials is also a distinct event. Receipt of an accusation is not proof that the accusation is true. It does establish a duty to process the filing through the applicable disqualification, complaint, preservation, and supervisory procedures. Continued adjudication after verified notice, without a reviewable disposition of the asserted Rule 2.816 and record-integrity evidence, materially increases the probability of institutional avoidance or ratification.

Kirk is therefore not included merely as an accused actor in an unrelated family dispute. Her proceedings are a comparative manifestation of how an identified Rule 2.816 and record-falsification challenge may be trailed, reframed, threatened with contempt, selectively corrected, or declared outside the day's issues while the underlying orders remain operative. Her later status as the judge Levi attempted to serve on April 30, 2025 links this history directly to the event underlying the criminal charge.

F. Judge Mathis: Evidence Access, Muting, and Treating Unresolved Issues as Decided

The Mathis materials provide a second superior-court comparison. In Levi's February 27, 2024 DVRO proceeding, the declaration-supported account states that Judge Michele Mathis pre-announced that the hearing would not take long despite anticipated witnesses and extensive evidence; denied Grant remote participation as a witness, observer, or silent support person; and limited public observation. The account further states that the parties were directed to exchange evidence with a bailiff, after which potentially material documents were not preserved or meaningfully considered. The official minutes and reporter record, if produced, can confirm the sequence and rulings.

Mathis later presided in the family-law matter. The materials describe repeated muting of Grant's microphone, restrictions on explanation and objection, and a later statement that the jurisdictional issue had already been heard and ruled upon even though no supplied order substantively analyzes the Rule 2.816 or constitutional question. The court also criticized the absence of transcripts while the declaration-supported record attributes that absence in part to muting, lack of reporters, cost, and the court's control of recordings.

The Mathis evidence does not independently prove coordination with Kirk or criminal intent. It does support a recurring operational condition: the same foundational objection is treated as already resolved, untimely, improperly served, or not before the court; the litigant's ability to create a reviewable record is restricted; and the resulting minute order omits the full objection while preserving the court's conclusion. The evidence is material to institutional notice, record hardening, due process, and the need for independent rather than internal-only review.

The simultaneous-hearing evidence supplies an objective test independent of motive. If official records place the same parties before multiple judicial officers at the same time in different courthouses, at least one record is inaccurate or the entry describes a hearing differently from what occurred. Court calendars, electronic appearance data, reporter notes, security access, and audio can resolve the conflict. Once a party identifies the contradiction, failure to audit it before relying on the minutes weakens presumed regularity.

The evidence-exchange episode in the DVRO proceeding is also relevant to later record access. According to the account, the parties disclosed evidence under the bailiff's supervision, Levi identified material relevant to both the DVRO and family case, and the court then allowed the evidence to disappear from practical review when Bridget did not formally present it. The legal consequences require the actual record, but the episode shows why a court should identify exhibits reviewed in its presence, requests for preservation, and rulings concerning access. Silence can otherwise make the later record falsely appear that no evidence existed.

Mathis's later statement that the jurisdiction issue had already been heard illustrates record hardening. A conclusion that a matter was previously decided must identify the order, date, decision maker, issue actually adjudicated, and basis for preclusion. Without those facts, 'already heard' becomes a procedural label that prevents merits review while concealing the absence of a merits decision. The current materials do not identify a reasoned Riverside order resolving the complete article VI and rule 2.816 theory.

G. Garcia-Rodrigo Unlawful-Detainer Matter: Misidentified Capacity, Writ Review, and Sheriff Enforcement

The Wafajow v. MacKenzie materials supply an earlier, separate case type in which the capacity and record problem traveled through the complete enforcement chain. A December 28, 2020 Riverside notice of department assignment identified the assigned officer as the 'Honorable Judge Candice Garcia-Rodrigo.' The

February 3 and 4, 2021 trial minute orders instead identified Garcia-Rodrigo as a commissioner. Because the proceeding was remote during the COVID period, the mailed notice was the principal prehearing identification of the officer. The title discrepancy is established by the face of the documents.

The February 3 minute order identifies the plaintiff as represented by attorney Anthony Burton and Grant as self-represented. It states, 'All parties stipulate to Commissioner,' but the supplied record contains no temporary-judge notice, no description of a rule 2.816 advisement, no written stipulation, no rule 2.818 disclosure or waiver, and no reporter. The next day's order entered an unlawful-detainer judgment, directed a writ to issue forthwith, and thereby exercised final adjudicative power. The report does not assume that no separate waiver record exists; it identifies its absence from the operational record and requires production.

Grant's verified APP-151 petition expressly challenged the trial by commissioner, alleged that the assignment notice had represented the officer as a judge, disputed the minute-order stipulation, invoked article VI, section 21, requested vacatur and trial before a judge, and sought an emergency stay. His supporting declaration stated that there had been no discussion of commissioner status during the remote trial, that he first learned the officer was a commissioner from the minute order, and that no recording or transcript was available. The petition therefore placed the capacity, consent, and record issues before the Appellate Division before enforcement was complete.

On March 2, 2021, an Appellate Division panel consisting of Judges Otis Sterling III, Sunshine Sykes, and Chad Firetag denied the petition and stay in a summary minute order without a stated analysis. A summary denial does not establish which issue was considered, whether the record was sufficient, or whether the panel adopted the commissioner's authority theory. It does establish that emergency judicial review was sought and that the supplied order did not correct, qualify, or explain the disputed title and stipulation records. The exhibit's assertion of a family relationship involving one panel member requires independent verification and is not adopted as an established fact in this report.

The Riverside Sheriff's Office thereafter executed the writ and restored possession to the landlord on March 23, 2021. The enforcement record does not prove that Sheriff personnel knew of the authority challenge. It demonstrates the institutional consequence of an unreconciled minute order: the clerk's record supported judgment and writ issuance, appellate review supplied no reasoned correction, and armed enforcement converted the disputed adjudication into completed dispossession. Later correction could not fully restore the lost possession, emergency expense, displacement, or constitutional injury alleged by the litigant.

This comparator materially expands the forensic inference. The alleged mechanism is not confined to family-law minutes or Levi's arraignment. It appears in a high-consequence unlawful-detainer setting where the prehearing notice identified a judge, the final order identified a commissioner and affirmative stipulation, the represented-versus-self-represented configuration facially implicated rule 2.818, the challenge was preserved in a verified writ petition, and the order was enforced. Each institutional link must be evaluated separately for knowledge and culpability; collectively, the sequence demonstrates how an authority-record defect can be hardened rather than corrected.

H. Pattern Across the Case Studies

Proceeding	Material manifestation	Forensic significance
Dini	Temporary-judge status and posted/verbal notice expressly recorded.	Demonstrates a known compliance model.
Firetag	Express written non-stipulation; trial vacated and matter reassigned.	Demonstrates institutional knowledge that non-stipulation changes the presiding posture.

Proceeding	Material manifestation	Forensic significance
Newstrom	One party stipulated; Grant did not; recommendations and objection procedure stated.	Demonstrates differentiated capacity and the preserved statutory review path.
Lafferty	Timely FL-666 and e-service docketed; FL-667 later certified no timely objection, ratified recommendations, and set no de novo hearing.	Document-controlled example of a review right neutralized by a contrary court record.
Kirk	Rule 2.816 and record-falsification challenges filed; hearings trailed/reframed; record conflicts and selective corrections alleged.	Strong basis for production and review of audio, clerk, Zoom, and metadata records.
Mathis	Evidence/access restrictions, muting, and later treatment of unresolved jurisdiction issue as already decided alleged.	Supports record-suppression and review-evasion pattern pending official recordings.
Garcia-Rodrigo	Assignment notice identified a judge; minute order identified a commissioner and all-party stipulation; represented plaintiff faced self-represented defendant; final judgment entered.	Early independent manifestation implicating sections 21 and 22, rules 2.816 and 2.818, and the reliability of title and consent records.
Appellate panel	Verified writ presented the title, stipulation, and right-to-judge challenge; petition and stay summarily denied without stated analysis.	Shows attempted corrective review and record hardening; does not establish that the merits were substantively decided.
Clerk and Sheriff enforcement	Judgment and writ were processed; Sheriff restored possession after the unresolved authority challenge.	Demonstrates downstream government action, public expenditure, and practically irreversible harm.
Hodgkins	Three questions; preexisting warning and request for accurate record; express non-stipulation and proffer; court-entered plea; recording representation; contrary or expanded minute entries; same-day recusal.	Principal controlled manifestation; two separately verified percipient accounts materially corroborate the sequence; recording existence, content, and minute-entry audit can decisively test the record.

The cases do not repeat one identical script. They repeat functional characteristics: incomplete or nonuniform capacity notice; generalized stipulation language; express objections omitted or reversed; statutory review defeated through a contrary record; threshold issues declared not before the court or already decided without a supplied merits analysis; restricted access to evidence or recording; and later reliance on the official record as proof of regularity. The recurrence across years, departments, commissioners, judges, clerks, and case types is inconsistent with a single accidental anomaly.

I. Actor-Specific Accountability and Proof Questions

The record supports differentiated accountability rather than collective guilt. A forensic report should identify the act, the officer's institutional role, the evidence presently established, the permissible inference, and the evidence necessary to determine personal knowledge or intent. The following matrix does not adjudicate criminal liability. It prevents the institutional pattern from obscuring individual decision points.

FORENSIC REPORT - RIVERSIDE COMMISSIONER AND TEMPORARY-JUDGE AUTHORITY

Actor or office	Present record significance	Evidence required for attribution
Commissioner James Hodgkins	Answered the three questions; described his capacity as commissioner; discussed reporter alternatives; represented that a recording existed for the Presiding Judge; declined the proffer; entered the plea; resulting order recorded stipulation and other disputed recitals; recused hours later.	Verification of recording existence and classification; original file if any; system/equipment logs; clerk notes; minute-entry audit; recusal notice; communications; approval history; Presiding Judge or authorized review records.
Commissioner Candice Garcia-Rodrigo	Mailed assignment notice identified judge; trial minutes identified commissioner and all-party stipulation; final unlawful-detainer judgment entered.	Hearing audio, temporary-judge assignment, rule 2.816 notice, rule 2.818 waiver, clerk notes, order-approval history.
Commissioner Nicholas Firetag	Repeated stipulation entries; later express non-stipulation produced reassignment; challenge was struck on procedural grounds.	Audio, reporter notes, signs, template history, each alleged stipulation source.
Commissioner Gareit Newstrom	Recorded one stipulation and one non-stipulation; issued recommendations; advised objection procedure.	Audio, recommendation file, communications, notice and routing records.
Judge Sean Lafferty	Signed FL-667 stating no timely objection despite a docketed FL-666 and proof of service; ratified recommendations without de novo setting after related disqualification challenges had already been filed.	Judicial queue; file-view history; clerk routing; FL-667 template/defaults, drafts and metadata; disqualification-review records; service and mailing logs.
Judge Kristi Kirk	Received filings challenging Rule 2.816 and record integrity; later records are alleged to omit, reframe, or harden objections and disputed hearings.	Audio, reporter notes, Zoom logs, calendars, clerk notes, filed motions, nunc pro tunc audit, service records.
Judge Michele Mathis	Restricted witness/support access and record creation in declaration-supported accounts; later treated authority issue as previously decided.	Official transcripts/audio, exhibit logs, Zoom controls, reporter notes, underlying prior order allegedly deciding the issue.
Appellate panel: Otis Sterling III, Sunshine Sykes, Chad Firetag	Denied writ and stay after verified challenge; supplied denial states no reasons.	Internal appellate file, submissions, recusal/conflict review, deliberative materials to the extent lawfully available, clerk routing.
Court Executive Officer, clerks, and courtroom staff	Generated assignment notices, minutes, reviews, mailing records, and writ documents containing disputed classifications.	Templates, field definitions, audit logs, access histories, training, quality-control policies, mail logs.
Sheriff and Court Services personnel	Enforced writs, controlled courthouse security evidence, and participated in events underlying Levi's charge.	Writ packets, knowledge notices, body/security video, radio traffic, incident reports, command communications.

The probability of intentional misconduct rises sharply where the court-controlled evidence shows that an actor personally reviewed the contradiction, manually selected or approved the contrary recital, rejected a corrective filing, or continued enforcement after confirmation. The probability falls where authenticated recordings contradict the declarations, a lawful waiver is produced, or the audit trail shows that the actor lacked access and promptly corrected the error once notified.

VI. INTEGRATED FORENSIC FINDINGS AND PROBABILITY ASSESSMENTS

Finding 1 - Constitutional separation and act-specific arraignment authority are established. Commissioner authority and temporary-judge power arise from different constitutional provisions, and appointment to both roles does not merge their predicates. Government Code section 72190.1 authorizes commissioners to conduct arraignment proceedings, but the published Attorney General construction of that statute distinguishes subordinate acts from dispositive guilty/no-contest plea authority. The 2002 Judicial Council/AOC SJO Working Group independently adopted the same arraignment boundary, while the 2002 California Law Revision Commission staff memorandum expressly distinguished commissioner status from the broader temporary-judge capacity. Penal Code section 1024 supports the commissioner's protective entry of a not-guilty plea when a defendant does not plead; the Report therefore locates the Department 2K authority dispute in the represented capacity for judge-level acts, the existence and scope of any section 21 stipulation, and the accuracy of the resulting record.

Finding 2 - Riverside recognizes the distinction. Local Rules 1060 and 5145(A)(2), detailed signs, the Dini order, Firetag reassignment, Newstrom recommendation procedure, and Garcia-Rodrigo title discrepancy demonstrate that capacity and non-stipulation are operationally consequential.

Finding 3 - Rule 2.816 is operationally material in Riverside. Riverside expressly cites and uses the rule in commissioner signage and records. The Report concludes that the capacity-based construction best harmonizes the governing authorities when an SJO exercises temporary-judge power; the status-based reading remains the principal opposing construction. The 2002 institutional materials and the lineage of current rule 10.700 materially reinforce that SJO subordinate service and temporary-judge service were historically understood as distinct operational roles. Independently, rule 2.816 supplies Riverside's own announced notice-and-consent model and demonstrates that the institution recognizes notice, capacity, and non-stipulation as consequential.

Finding 4 - Rule 2.818 presents a document-resolvable defect in the unlawful-detainer comparator. The operative record shows a represented plaintiff, self-represented defendant, commissioner trial, and final judgment, but supplies no presiding-judge waiver or written party waiver. Production can confirm or rebut the limitation.

Finding 5 - Official capacity, consent, and review records are materially unreliable in identified proceedings. The Newstrom/Lafferty sequence contains a docketed timely FL-666 and proof of service followed by a signed FL-667 certifying that no timely objection existed and ratifying the recommendations without de novo review; the Hodgkins stipulation and related minute-order recitals conflict with two separately verified, materially corroborating percipient accounts; the Garcia-Rodrigo assignment notice and trial record identify different offices; and Firetag/Newstrom records show that Riverside knew how to preserve non-stipulation. The Department 2K recording representation remains a discrete verification issue because the report must not assume that a file exists merely because Hodgkins said one did.

Finding 6 - The record discrepancies were consequential. They affected final authority, statutory de novo review, eviction judgment and enforcement, the facial regularity of orders, and the procedural progression of an active criminal prosecution.

Finding 7 - Corrective review has not reliably resolved the defects. The supplied APP-151 denial states no reasoning; the Newstrom/Lafferty review did not reject the objection on identified merits but bypassed de novo review through a no-objection certification contrary to the docket; and Hodgkins recused without reconciling the morning order. A procedural endpoint is not equivalent to a reasoned merits resolution.

Finding 8 - Repeated selective omission, inversion, and record formalization are probative. Where Rule 2.816, non-stipulation, proffered evidence, filed objections, the existence of a court recording, or other expressly raised matters were omitted, reversed, or converted into more definite standardized findings, the pattern warrants examination of whether the record system neutrally summarized events or instead transformed right-triggering facts into findings that defeated review. The Department 2K order is especially probative because Levi predicted the stipulation-record problem before the order existed and expressly

requested accurate preservation; the Lafferty FL-667 is independently probative because the docketed objection was converted into a certification that no objection existed.

Finding 9 - The enforcement chain magnifies both harm and evidentiary responsibility. Clerk processing, writ issuance, appellate disposition, Sheriff execution, collections, and later judicial reliance convert disputed authority records into government action and can make correction practically incomplete.

Finding 10 - Knowing or reckless institutional misconduct is highly probable. Isolated clerical error does not adequately explain recurring contradictions across case types and officers, demonstrated knowledge of correct procedures, material benefits of contrary entries, and continuation after formal notice.

Finding 11 - Intentional falsification presents a prima facie investigative condition. The evidence requires independent investigation of knowing record inversion, deliberate indifference, ratification, obstruction, and fraud on the judicial process. Final attribution of individual criminal intent requires the identified internal records.

Finding 12 - A government-funding integrity risk is established; actual false claims require audit. Court, SJO, appellate, clerk, security, enforcement, and Title IV-D operations use public funds and performance systems. Outputs generated through false authority or review certifications may contaminate reporting; a specific false claim must be identified through audit.

Finding 13 - Levi's pending case requires immediate protection. The active prosecution advanced from an arraignment whose official authority, stipulation, advisement, reporter-election, and waiver record is materially disputed, whose presiding commissioner recused hours later, and whose most direct potential corroborating evidence is a recording Hodgkins represented was maintained for the Presiding Judge but whose existence and statutory classification have not yet been verified. Immediate preservation must therefore include both the recording, if it exists, and the technical and administrative evidence capable of explaining its absence if it does not.

A. Ranked Competing Explanations

Explanation	Present weight	Reason
Isolated clerical error	Poor overall fit	Possible for one entry; inadequate for recurring contradictions across officers, years, and procedures.
Boilerplate or automated template failure	Plausible mechanism, not exculpatory	May explain generation; after notice, continued reliance supports reckless maintenance or ratification.
Good-faith legal misunderstanding	Substantially weakened	Firetag, Newstrom, Dini, signage, and local rules demonstrate awareness that capacity and non-stipulation matter.
Individual clerk error without judicial knowledge	Possible in a single event; weak systemwide	Cannot alone explain signed judicial certifications, supervisory review, same-day recusal, and repeated issue suppression.
Knowing or reckless institutional practice	Best present fit	Explains recurrence, institutional knowledge, material direction of errors, and continued operation after notice.
Coordinated criminal intent	Substantial investigative theory; not final finding	Requires proof of willfulness, agreement, participation, and knowledge through internal records and testimony.

A summary writ denial is not a separate innocent explanation and should not be treated as substantive validation of the challenged practice. The supplied denial contains no reasoned disposition, no discussion of article VI, rule 2.816, rule 2.818, the title discrepancy, or the disputed stipulation. It proves that review was sought and denied; it does not reveal why. The absence of reasons increases, rather than eliminates, the need

to preserve the appellate file and the underlying trial record when later enforcement is used as evidence of regularity.

B. Evidence That Would Materially Elevate or Reduce the Findings

The Department 2K evidence is unusually capable of resolving the dispute. If the represented recording exists and confirms the three questions, the preexisting warning and request for accurate minutes, express non-stipulation, reporter discussion, recording representation, refused proffer, venue demand, and court-entered plea, the probability that materially contrary or expanded minute entries were knowingly or recklessly approved rises sharply. The probability increases further if the minute-entry audit shows manual selection, review, or approval after the exchange. If no recording can be located despite Hodgkins's statement that the proceeding was being recorded for the Presiding Judge, that does not prove intentional deception; it creates a separate technical and factual discrepancy requiring examination of recording-system logs, equipment status, retention history, deletion records, and the accuracy of the representation itself.

If the Lafferty work queue and document-view history show the January 11 FL-666 was available or opened before the FL-667 was signed, knowing falsification or conscious disregard becomes exceptionally probable. If the objection was not routed, the evidence instead identifies a severe clerk and supervisory control failure. Either result requires correction and broader audit.

If templates or instructions automatically populate 'all parties stipulate,' 'Judge Pro Tem/Commissioner,' a combined 'Peremptory Challenge or Non-Stipulation,' or 'no objection' without individualized verification, systemic administrative misconduct becomes exceptionally probable. If notice records, complaint files, emails, or performance reviews show that supervising officials reviewed confirmed discrepancies and permitted the practice to continue, knowing ratification or deliberate indifference becomes exceptionally probable.

Conversely, the findings would be reduced if an authenticated recording contradicts the verified percipient accounts; if complete records show express stipulations or valid withdrawals of objection; if the disputed advisement and reporter-election findings are supported by another contemporaneous source; if the FL-666 was legally rejected before signature with documented notice; or if recording-system records establish an innocent technical failure promptly identified and appropriately documented. The findings would also be reduced by evidence that disputed fields were corrected and affected litigants were notified through a consistent audit process. No such comprehensive corrective record has been supplied.

VII. CONSEQUENCES OF THE IDENTIFIED CONDITION

A. Litigants, Cases, and Due Process

A false or unreliable stipulation record does more than misdescribe courtroom dialogue. It facially supplies the constitutional predicate for judge-level authority. A false 'no objection' record can extinguish statutory review. These entries burden the affected litigant with proving a negative against a court-controlled record, obtaining expensive transcripts or writ relief, and continuing under orders that appear regular to later judges, agencies, employers, sheriffs, and collection personnel.

Self-represented litigants are especially exposed because they may understand a commissioner-only sign as notice of assignment rather than notice that silence will activate a different constitutional capacity. They may lack the vocabulary to distinguish non-stipulation, section 170.6, section 170.3, appeal, de novo review, and venue. The institution cannot use that predictable confusion as the source of consent.

B. Public Policy and Confidence in the Courts

The legitimacy of judicial orders depends on lawful authority and a reliable record. Public confidence is not protected by preserving the appearance of regularity after a specific contradiction is shown. It is protected by preserving evidence, correcting the record, explaining the source of authority, and reviewing affected

cases. A system that makes accurate objection difficult and then treats the resulting silence or omission as consent undermines both actual fairness and the appearance of fairness.

The public-policy concern is heightened by volume. Commissioner programs exist to manage workloads efficiently. Their legitimacy therefore depends on a process simple enough to administer consistently and transparent enough to audit at scale. If the system instead relies on ambiguous signs and generic minute fields, higher volume magnifies rather than mitigates the harm. Efficiency is not a competing constitutional value that permits undisclosed transfer of judge-level power; a short, accurate capacity statement and response can protect both throughput and legitimacy.

Public confidence also depends on visible correction. Confidential internal review may be appropriate for personnel matters, but confirmed inaccuracies in public case records require public-facing correction and notice to affected litigants. An institution that silently changes a template without addressing prior outputs leaves the original harm in place and prevents meaningful accountability.

C. Taxpayer Funding, Reimbursement, and Performance Representations

Court operations, SJO salaries, staff, courthouse security, public defense, and specialized programs are funded by taxpayers. Title IV-D child support administration includes federal financial participation and incentive structures tied to approved program activities and performance. Case events, orders, collections, workload, and disposition data may be used in administrative, budgetary, and reimbursement systems.

The present evidence does not establish the amount of any false claim or identify a specific knowingly false funding submission. It does establish a material risk: if orders or case outcomes were generated through false authority, stipulation, or review certifications and were then represented as lawful program outputs, the reliability of downstream government reporting is compromised. That condition requires a targeted audit of claims, timekeeping, performance metrics, collections, and grant-related certifications, not speculation or blanket accusation.

D. Tribunal and Enforcement Chain

The operational consequences extend beyond the bench officer. Clerks create and certify records; prosecutors and public defenders rely upon them; Sheriff Court Services enforces courtroom control and warrants; child support attorneys and agencies rely on orders; collection personnel process monetary obligations; and later judges treat prior minutes as established history. Responsibility depends on role, knowledge, duty, and conduct after notice. The report does not presume equal culpability. It requires each responsible institution to identify what it knew, what it verified, and what it did thereafter.

The Wafajow sequence supplies a concrete enforcement example. A court assignment notice identified the adjudicator as a judge; the minutes identified her as commissioner and recited stipulation; judgment and writ issued; an emergency verified writ raised the authority issue; the petition and stay were denied without a stated explanation; and the Sheriff completed the eviction. The sequence does not establish equal knowledge among the adjudicator, appellate panel, clerks, and Sheriff. It establishes that each institutional act relied on or carried forward a record whose foundational capacity and consent were specifically disputed.

E. Appellate Remedy, Enforcement, and Irreversible Harm

The availability of appellate or writ review is often offered as the cure for trial-court error. That premise depends on a record sufficient to present the issue, timely access to the reviewing court, a stay before enforcement, and a decision capable of preventing or restoring the harm. The supplied unlawful-detainer example shows the practical limits: the litigant paid for emergency assistance, filed a verified petition, alleged that no recording existed, requested a stay, received a summary denial, and was evicted.

A summary denial may be lawful for many reasons, including record deficiencies or discretionary writ standards. It cannot be used as affirmative evidence that the underlying title, stipulation, or rule 2.818 issues were substantively rejected unless the reviewing order says so. When the court system's own failure to create

or preserve a record contributes to denial of extraordinary relief, reliance on the denial as proof of regularity becomes circular.

Enforcement also changes the remedial calculus. Rehearing can correct a legal status, but it may not restore housing, prevent completed arrest, recover lost property, reverse employment or credit consequences, or eliminate litigation expense and trauma. The more irreversible the government action, the greater the need for accurate authority certification before judgment and for a meaningful stay mechanism once the issue is raised.

VIII. EFFECT ON LEVI AND THE PENDING PROSECUTION

Levi remains charged with one misdemeanor count under Penal Code section 148(a)(1) arising from the April 30, 2025 service event. The official case summary records a July 16, 2026 not-guilty plea and an active Department 3T case. The more accurate evidentiary description is that Hodgkins entered the plea on Levi's behalf while Levi continued to request another venue and had not voluntarily selected a plea.

The procedural foundation matters because the arraignment record now facially states that Levi stipulated to a Judge Pro Tem/Commissioner and declined non-stipulation. Those entries may be used by later judicial officers to conclude that authority and waiver were resolved, although the declaration-supported account states the opposite. Hodgkins's same-day section 170.3 recusal does not alert a later reader to that contradiction or identify whether the disqualifying ground existed during the morning proceeding.

The current assignment to Judge Hester does not by itself cure the record or the institutional conflict. The pending motions concerning disqualification, correction or vacatur, outside assignment, and Penal Code section 1033 must be decided on their specific statutory standards. This report supplies the foundational evidence and constitutional analysis; it does not replace those filings.

For disqualification, the later motion must connect Judge Hester to specific facts that would cause a reasonable person aware of the circumstances to doubt impartiality, including institutional knowledge, prior commissioner service if relevant, responsibility for or reliance on the challenged machinery, and the judiciary's potential status as witness or stakeholder. Institutional membership alone is insufficient; the report identifies the factual foundation that must be developed rather than presuming the motion's result.

For venue, Penal Code section 1033 requires a reasonable likelihood that a fair and impartial trial cannot be had in the county. The venue argument therefore must move beyond one officer. The potentially countywide facts include shared notice and record systems, the involvement of Sheriff Court Services, the service of a Riverside judge, judicial and clerk witnesses, public-defender and prosecutorial reliance on the same records, and the court's institutional interest in the validity of prior commissioner proceedings. The report organizes those facts while leaving the statutory application to the motion.

For correction or vacatur, the filing must identify the particular act, authority required, record defect, effect of recusal, and governing remedial authority. The report rejects both extremes: it does not assume every act was void merely because a commissioner presided, and it does not permit a court-entered plea or reassignment to cure a false stipulation record. Act-specific analysis is the bridge between constitutional principle and relief.

At minimum, the assigned court should not rely upon the disputed stipulation, non-stipulation, advisement, reporter-election, or waiver recitals before the Department 2K record is independently reviewed. The first step is to verify whether the recording Hodgkins described actually exists and to identify whether it was created under Government Code section 69957(a), section 69957(b), or another lawful authority. If it exists, it should be preserved against routine deletion and reviewed only within the uses permitted by its classification, including Presiding Judge or other duly authorized internal performance review if it is a section 69957(b) monitoring recording. If it does not exist, the court should preserve the technical and administrative evidence explaining why. The court should also protect against loss of Sheriff video, radio traffic, courthouse

security records, charging communications, service materials, complaint-routing records, and institutional notices relevant to impartiality and venue.

The misdemeanor case should remain analytically isolated on the merits. Levi need not prove every broader allegation to defend section 148. Conversely, the court may not erase the institutional evidence merely because it arises in a misdemeanor. Lawful adjudication of the threshold issues will itself produce evidence that may confirm, narrow, or disprove the larger claims in later proceedings.

The earlier unlawful-detainer, Firetag, Newstrom, Lafferty, Kirk, and Mathis records are relevant to Levi not because their merits determine guilt, but because they show that the challenged capacity and record issues predated his arrest, were repeatedly raised, involved multiple Riverside institutions, and were capable of producing final and enforced outcomes. The chronology now includes formal disqualification challenges addressing the same practices before Newstrom issued her recommendations and before Lafferty's contrary review certification. That sequence does not establish retaliatory motive in Levi's prosecution, but it materially supports the historical and objective basis for Levi's later concern that protected challenges to the process were followed by adverse procedural consequences. The history strengthens the factual foundation for preservation, outside review, disqualification analysis, and a Penal Code section 1033 inquiry, and narrows the court's ability to characterize Levi's arraignment objection as novel, improvised, or unrelated to the conduct underlying the prosecution.

IX. RESPONSIBLE AUTHORITIES, REQUIRED CORRECTION, AND PROGRESSIVE REMEDIATION

A. Immediate Preservation and Interim Case Protection

- Issue immediate preservation holds for the Department 2K recording represented by Hodgkins, if it exists, together with its classification, metadata, access/review history, authorizing or monitoring basis, notice, retention schedule, and any transcript. If no recording is located, preserve the system, equipment, storage, deletion, and technical records capable of establishing whether recording was initiated, failed, was lost, or was destroyed.
- Preserve the Department 2K morning and afternoon minute-order source materials and audit trail; the Newstrom/Lafferty FL-666/FL-667 filing, routing, service, work-queue, document-view, template, approval, and mailing records; and the identified Firetag, Kirk, Mathis, Wafajow, April 30, and Sheriff records necessary to test the comparative case studies.
- Until the disputed records are independently tested, the assigned court should not treat the challenged stipulation, non-stipulation, advisement, reporter-election, waiver, or no-objection recitals as conclusive historical facts.

B. Independent Judicial Review and Record Correction

The threshold review should be conducted by a judicial officer whose independence can be objectively defended. The review should determine: (1) the act performed and capacity required; (2) the notice and stipulation, if any; (3) the accuracy of the Department 2K and Newstrom/Lafferty records; (4) the existence, classification, and authorized review of the represented Department 2K recording; (5) the timing and effect of Hodgkins's recusal; and (6) the disposition of the rejected proffer. A section 69957(b) monitoring restriction should be respected, but it should not be treated as a reason to avoid authorized Presiding Judge or supervisory verification.

Confirmed clerical or record inaccuracies should be corrected openly and notice given to affected parties. If an act was independently authorized as a subordinate duty, the lawful act may be preserved while the inaccurate temporary-judge or stipulation recital is corrected. If an act required section 21 authority and no valid stipulation existed, the reviewing court should determine the governing consequence - including repetition, de novo review, vacatur, or other relief - under the controlling authority. Correction may not manufacture retroactive consent or extinguish a statutory review right through a contrary record certification.

C. System Administration, Audit, and Prospective Controls

- The Presiding Judge, Temporary Judge Administrator, Court Executive Officer, clerk, and information-technology personnel should jointly audit the notice, stipulation, objection, review, recording, and minute-entry systems. The audit should compare signage, oral scripts, templates, dropdown fields, defaults, training materials, and complaint history across departments and case types, including how Riverside operationalizes rules 2.810 and 2.816 for commissioners who also serve as temporary judges.
- Audit data should identify whether disputed fields such as "all parties stipulate," "Judge Pro Tem/Commissioner," combined "Peremptory Challenge or Non-Stipulation," and "no objection" are automatically populated, manually selected, edited, or judicially approved, and should query for contradictory events such as non-stipulation followed by affirmative stipulation or a docketed FL-666 followed by a no-objection certification.
- Prospective controls should require capacity-specific notice, separate recording of non-stipulation, section 170.6, section 170.3, and venue, validation against contradictory docket events, and a reviewable method for accepting, rejecting, or preserving evidentiary proffers. The same audit should identify the policy governing courtroom recordings, including section 69957(a), section 69957(b), notice, access, monitoring, retention, and deletion.

D. External Oversight and Targeted Referral

The Commission on Judicial Performance should evaluate verified judicial or SJO participation in false certification, suppression of review, retaliation, or failure to correct known inaccuracies within its jurisdiction. The Judicial Council should consider clarifying the rule 2.810/rule 2.816 dual-capacity question and reviewing Riverside forms and signage if statewide guidance is incomplete. The Appellate Division or other authorized reviewing authority should preserve the Wafajow appellate file and determine whether the capacity and rule 2.818 issues were reached or whether the denial rested on another ground.

AB 1058/Title IV-D administrators, court auditors, and appropriate funding authorities should examine only those affected proceedings and representations for which verified record defects could have influenced program outputs, review compliance, collections, timekeeping, or reimbursement. Referral for civil-rights, obstruction, retaliation, conspiracy, or funding-fraud investigation should follow verified evidence sufficient to support the particular legal elements; this Report identifies the condition and the evidence required for competent authorities to determine culpability.

E. Risk-Based Retrospective Review

- Prioritize dispositive criminal pleas, sentencing, probation revocation, contempt punishment, and other acts capable of imprisonment where commissioner authority depends on temporary-judge status.
- Prioritize final judgments or dispositive orders containing express non-stipulation, objection, recusal, reassignment, or rule 2.818 limitations that conflict with affirmative stipulation or authority entries.
- Prioritize Family Code section 4251 matters in which a docketed FL-666 objection was followed by ratification without the required review path, and proceedings using hybrid or combined minute fields that obscure capacity or the method of assent.
- Prioritize cases in which a court-controlled or court-represented recording is the principal source capable of testing a disputed official record, including cases where the existence or retention of the represented recording is itself unresolved.

F. Progressive Remediation Schedule

Period	Required action
Immediate - 0 to 5 court days	Preservation holds; interim case protection; verify Department 2K recording and audit data; secure records at risk of deletion.

Period	Required action
Initial - 10 to 30 days	Independent review of Department 2K and Newstrom/Lafferty records; correct confirmed inaccuracies; suspend defective fields or templates.
System review - 30 to 90 days	Countywide targeted query; signage/script/template audit; complaint review; affected-case triage; funding-risk assessment; protocol revision.
Progressive remediation - 90 to 180 days	Notify affected litigants where warranted; conduct risk-based rehearing or correction; make supported referrals; publish aggregate remediation findings where lawful.
Ongoing	Annual audit; complaint-trend review; random record-to-audio comparison where lawful; training updates; verification that corrective controls remain effective.

X. CONSOLIDATED DETERMINATION AND CONCLUSION

The supplied record does not present a neutral tie between isolated mistake and systemic operational failure. Riverside has demonstrated knowledge that commissioners and temporary judges occupy distinct constitutional roles, that non-stipulation changes authority or procedure, that rule 2.816 supplies a developed notice-and-consent sequence, that rule 2.818 imposes a specific unlawful-detainer limitation, and that Family Code section 4251 preserves judicial review after objection. Yet the record also contains materially nonuniform notices, judge-versus-commissioner title contradictions, generalized stipulation entries, a false 'no objection' certification, repeated omission or reframing of threshold challenges, an unlawful-detainer judgment and eviction carried through an unresolved authority challenge, and a Department 2K order that appears to invert an express non-stipulation.

The individual proceedings do not define this conclusion. They operate as case studies against a single governing subject: whether Riverside's commissioner and temporary-judge system reliably distinguishes constitutional capacity, supplies the predicate notice and stipulation, preserves objection and review, accurately certifies the record, and corrects contradictions before later actors rely upon them. Their combined significance lies in the recurrence of functionally similar failures or unresolved contradictions across different case types and institutional stages.

The best-supported present conclusion is that Riverside has maintained a commissioner and temporary-judge consent-and-certification process that is materially unreliable and has operated, at minimum, with knowing or reckless institutional disregard for accurate capacity, stipulation, objection, and review records. The recurrence, direction, cross-case-type consistency, and downstream enforcement of the errors make isolated clerical accident an inferior comprehensive explanation. The evidence establishes a prima facie condition requiring investigation of intentional falsification, fraud on the judicial process, obstruction, deliberate indifference, and related civil-rights violations. Individual criminal intent must be assigned through the identified evidence, not presumed.

Levi's arraignment is the principal controlled manifestation. He first established the court's claim that his advisements were complete, then tested the asserted general practice for similarly situated defendants, and finally isolated the capacity in which Hodgkins proposed to accept a guilty or no-contest plea. Hodgkins selected commissioner status. California authority permits a commissioner to perform subordinate

arraignment acts and supports the protective entry of a not-guilty plea when a defendant does not plead; it does not collapse that subordinate authority into judge-level power to accept a dispositive guilty or no-contest plea without the required source of authority. Levi then made a prepared threshold statement, warned of inaccurate stipulation records, expressly requested that his own non-stipulation be accurately preserved, sought recusal and venue relief, and offered proof. Grant's separately verified declaration corroborates the preexisting statement and material sequence. The court declined the proffer, redirected the exchange to section 170.6, entered the protective not-guilty plea on Levi's behalf, recorded affirmative Judge Pro Tem/Commissioner stipulation and other disputed recitals, and recused hours later without reconciling the record. Hodgkins also represented that the proceeding was being recorded for the Presiding Judge, making verification of that representation an immediate and independently testable part of the forensic inquiry.

The condition affects litigants, constitutional rights, public policy, confidence in the judicial system, enforcement legitimacy, and the accuracy of public-funding representations. Because the notices, recordings, templates, entries, reviews, and enforcement systems are court-controlled, correction is not solely Levi's or Grant's private burden. The Presiding Judge, assigned judge, Temporary Judge Administrator, Court Executive Officer, clerks, information-technology personnel, oversight bodies, and funding authorities each have defined responsibilities to preserve, investigate, correct, report, protect affected litigants, and verify progressive remediation.

The integrity of a court of record is demonstrated not by resisting scrutiny, but by verifying whether the represented recording exists, preserving and reviewing it within the law governing its classification, identifying the source of authority, correcting confirmed record inaccuracies, reviewing affected cases, and reporting verified misconduct through the appropriate channels. If no recording exists, the same principle requires a documented explanation of the technical or administrative failure and preservation of the records capable of establishing what occurred. The evidence is sufficient to require that verification and review now.

APPENDIX A. MASTER EVIDENCE AND PRODUCTION MATRIX

Subject	Required evidence	Likely significance
Department 2K exchange	Levi and Grant verified declarations; represented recording if it exists; DDA William R. Adams; Courtroom Assistant A. Eubanks; other percipient attorneys/staff; metadata and review history.	Confirms or disproves the three questions, preexisting warning, non-stipulation, reporter discussion, recording representation, proffer, plea entry, venue request, and request for accurate minutes.
Department 2K minute order	Template, dropdown fields, clerk/source notes, audit log, drafts, approval history, reporter-election fields, advisement fields, and any comparison against the represented recording.	Determines whether corroborated, expanded, contrary, or omitted entries were automated, selected, interpreted, edited, or approved.
Hodgkins recusal	Recusal notification, reason, timing, communication with Presiding Judge or staff.	Determines whether the ground existed during the morning proceeding and whether review occurred.

FORENSIC REPORT - RIVERSIDE COMMISSIONER AND TEMPORARY-JUDGE AUTHORITY

Subject	Required evidence	Likely significance
Newstrom/Lafferty review chain	Nov.-Dec. disqualification filings/orders; Jan. 11 FL-666 and e-service; queue and document-view logs; routing; FL-667 template/defaults, drafts, signature metadata, page-2 certificate, mail/e-service records.	Tests knowledge, routing failure versus conscious false certification, denial of de novo review, and notice of the resulting order.
Firetag/Newstrom records	Audio, reporter logs, signs, clerk notes, relevant minute-entry histories.	Tests generic stipulation fields against express non-stipulation and reassignment.
Wafajow/Garcia-Rodrigo trial	Assignment notice, audio, temporary-judge order, rule 2.816 notice, rule 2.818 waiver, minute audit, judgment and writ file.	Tests the title discrepancy, stipulated authority, disqualification limitation, and final adjudicative power.
Wafajow appellate review	Complete APP-151 file, exhibits, submissions, clerk routing, conflict review, and disposition records lawfully available.	Determines whether the capacity and rule 2.818 issues were reached or the petition was denied on another ground.
Wafajow Sheriff enforcement	Writ packet, receipt dates, communications, notices, execution log, body or scene records if retained.	Documents downstream reliance, knowledge, public expenditure, and irreversible consequences.
Kirk/Mathis proceedings	Audio, reporter logs, Zoom logs, calendars, clerk notes, minute metadata, filed evidence and service records.	Tests alleged simultaneous hearings, muting, omitted objections, evidence restriction, and record hardening.
Institutional notice	Certified-mail delivery, email routing, read/forward data, complaint records, responses, meeting notes.	Establishes institutional and individual knowledge, verification, and post-notice conduct.
Funding and reporting	AB 1058/Title IV-D claims, timekeeping, performance metrics, collections, audit files, certifications.	Determines whether unreliable judicial outputs affected public claims or incentives.
April 30 incident	Body camera, courthouse video, radio traffic, reports, witness interviews, service packet, warrant and charging communications.	Determines the merits evidence and the relationship between service activity, institutional notice, and prosecution.
Department 2K recording existence and classification	Actual recording file if any; file inventory; recording-system/equipment logs; start/stop data; authorizing order or monitoring basis; section 69957(a)/(b) classification; notice; storage, access, review, retention, deletion, and technical-failure records.	Determines whether the recording exists; whether Hodgkins's representation was accurate; the lawful scope of review and use; and whether any absence reflects technical failure, retention failure, deletion, or another cause.
Department 2K percipient witnesses	William R. Adams; A. Eubanks; attorneys and court personnel present; witness identities and contact/routing records to the extent lawfully available.	Provides sources independent of the defendant's and Grant's recollections capable of confirming, qualifying, or disputing material portions of the arraignment.

APPENDIX B. SELECTED SOURCE DOCUMENTS

The images below are visual references. Formal filing or investigative use should include the complete, authenticated source documents and higher-resolution originals.

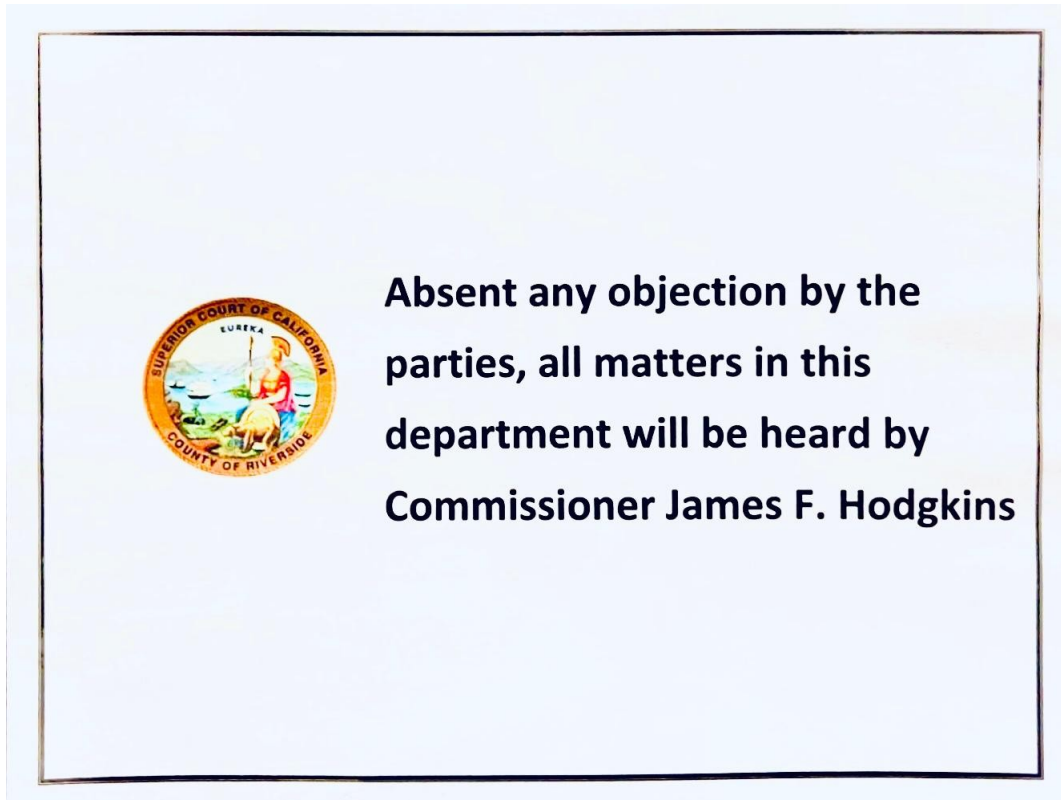


Figure B-1. Department 2K commissioner-only notice. It identifies Commissioner Hodgkins but does not state that he will act as temporary judge or disclose the rule 2.816 alternatives.

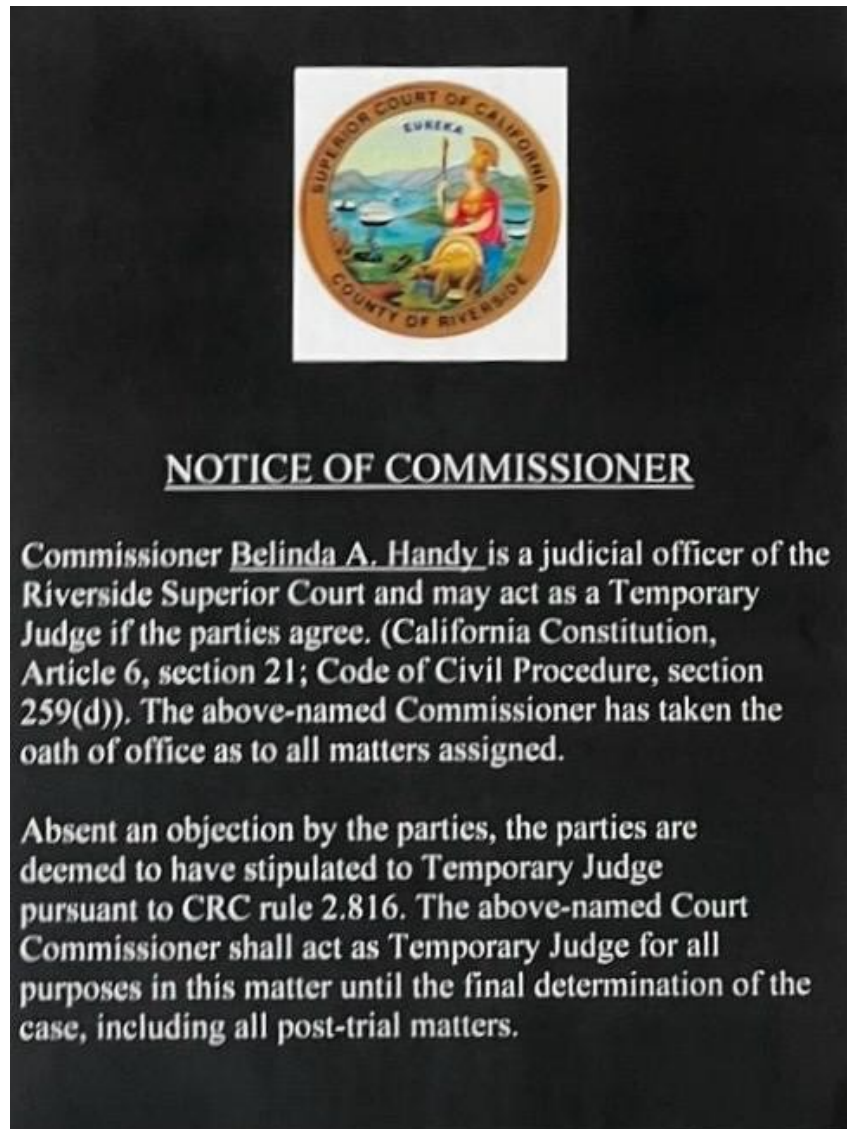


Figure B-2. Riverside commissioner notice expressly invoking temporary-judge capacity, article VI, section 21, section 259(d), and rule 2.816. The contrast demonstrates materially nonuniform notice.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Larson Justice Center
Warrant Arraignment

07/16/2026
8:30 AM
Department 2K

MIIN2504643
People vs LEVI GRANT MACKENZIE

Honorable James Hodgkins, Commissioner
A. Eubanks, Courtroom Assistant
Court Reporter: None

APPEARANCES:

LEVI GRANT MACKENZIE is present, represented by PRO PER
People represented by Deputy District Attorney, William R. Adams.
Defendant is present.

Counsel/Parties stipulate the Judge Pro Tem/Commissioner, as indicated above, may hear this matter.

Arrest warrant recalled

Oral motion by Defendant regarding proceed in Pro Per is called for hearing.

Motion to proceed in Pro Per is granted.

Defendant specifically waives right to counsel.

The court finds defendant has knowingly and intelligently waived his/her right to counsel.

Defendant represented by: In Pro Per.

Defendant arraigned.

Defendant advised of constitutional rights.

Defendant advised of right to a speedy and public trial by judge or jury.

Defendant advised of right to confront and cross examine witnesses and right to present evidence on his/her own behalf.

Defendant advised of privilege against self-incrimination.

Defendant advised of charges and consequences of his/her plea and statutory sentencing.

Defendant advised of right to counsel, continuance to consult counsel, and assignment of counsel if unable to employ private counsel.

Defendant advised of right to speedy trial, dismissal if no trial is held within 30/45 days after arraignment and effect of consent to waive time.

Defendant is advised that there is no official record of this proceeding. The Court inquires as to whether Defendant would like to request a continuance of this hearing to request that a court reporter be present. Defendant elects to proceed forthwith.

Page 1 of 2 Pages

Figure B-3. Department 2K morning minute order, page 1. The order identifies Hodgkins as commissioner and records a hybrid Judge Pro Tem/Commissioner stipulation.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Larson Justice Center
Warrant Arraignment

07/16/2026
8:30 AM
Department 2K

MIIN2504643

People vs LEVI GRANT MACKENZIE

Honorable James Hodgkins, Commissioner
A. Eubanks, Courtroom Assistant
Court Reporter: None

Oral motion by Defendant regarding change of venue/ outside assignment is called for hearing.
Motion is not considered. Defendant must file a formal motion to address the request for change of venue/ outside assignment.
The Court inquires as to whether Defendant wishes to file a Peremptory Challenge or Non-Stipulation to the Court. Defendant declines.
On Court's own motion:
Pleads not guilty to all charges.
Pretrial Hearing set for 08/12/2026 at 10:30 AM in Department 2K.
Last day for trial to commence is 08/31/2026.
The People are to provide redacted Discovery to the Defendant.
Defendant ordered to return on any and all future hearing dates.
- - Custody Status/Information - -
Defendant is released on their own recognizance (O.R.).

Page: 2 of 2 Pages

Figure B-4. Department 2K morning minute order, page 2, containing the combined peremptory-challenge/non-stipulation recital.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Larson Justice Center
Ex Parte Hearing re: Court Recusal

07/16/2026
1:30 PM
Department 2K

MIIN2504643
People vs LEVI GRANT MACKENZIE

Honorable James Hodgkins, Commissioner
A. Eubanks, Courtroom Assistant
Court Reporter: None

APPEARANCES:

No Appearances

No appearance made by either party.

On Court's own motion:

Honorable James F. Hodgkins recuses himself/herself from hearing matters in this case pursuant to CCP 170.3.

Pretrial Hearing set on 08/12/26 at 10:30 AM is vacated.

Case assigned to Department 3T for all further proceedings.

Pretrial Hearing set for 08/12/2026 at 10:30 AM in Department 3T.

Hearing is placed on calendar in Dept. 3T for 10:30 AM based on the Court's original order setting the matter for that time in Dept. 2K.

- - Custody Status/Information - -

Custody status is not applicable. Ex-parte hearing.

Figure B-5. Same-day order recusing Hodgkins under Code of Civil Procedure section 170.3 and reassigning the case.

NO STIPULATION TO COMMISSIONER OR PRO TEM JUDGE

Respondent has reviewed court hearings in this case. The notices state, "All parties stipulate to Commissioner Nicholas Firetag." As of the writing of this document, Respondent does not recall providing such stipulations which would qualify under CRC, Rule 2.816, C.C.P. Sec 259(d). As for posted notice, per Rule 2.826(b)(3), this court fails to note in its posted notice this third required disclosure: "The party has a right to have the matter heard before a judge, commissioner, or referee of the court." Rule 2.826(c) states that this notice must be "accompanied by oral notification or notification by videotape or audiotape by a court officer on the day of the hearing, or a written notice provided to each party"

Particularly in phone hearings, which involve pro se litigants, the court must ensure the litigants are provided clear notice and stipulations are granted to ensure due process is not violated, and subsequently, any ruling by the court is not rendered void on its face.

Section 170.6 of the Code of Civil Procedure allows the replacement of any judicial officer (pro tem, Commissioner, or appointed judge) if timely made. (Foosadas v. Superior Court (2005) 130 Cal.App.4th 649.)

Section 259(d) of the Code of Civil Procedure provides that a commissioner has the power to act as a temporary judge upon stipulation of the parties. Where a party fails or refuses to stipulate, actions of a commissioner are void, as in excess of jurisdiction. (Yetenekian v. Superior Court (1983) 140 Cal.App.3d 361.)

As should be reasoned by this motion, both by numerous failings of due process and judicial misconduct, all of Commissioner Firetag's rulings, in this case, must be rendered void and reheard by a qualified judge in good standing.

With this filing, Respondent gives notice to the court he does not stipulate to a commissioner presiding over this case. Respondent requests a full-time judge in good standing and character

Figure B-6 (Part 1 of 2). Firetag motion excerpt: express written non-stipulation to commissioner or pro tem judge and request for a full-time judge.

1 reside over this case. Respondent respectfully requests the judge carefully review this case, assist
2 in the noted issues, and appropriately help bring this matter to a close.

3 In the best interest of public policy and the affected parties, and to help return integrity to this
4 court, this request for disqualification must be granted. The California legislature made
5 reasonable decisions in these rules and the guidelines for the disqualification and review of
6 judicial officers of the court. Judicial officers must be held accountable.

7
8 It is hoped this suppression of justice and bias is not a systemic issue in the Hemet Family
9 Court system. To ensure the judicial pool is not contaminated and the integrity of this case is
10 safeguarded, Respondent reminds the court of its duty to limit the discussion and dissemination
11 of this matter to only the individuals and agencies necessary to resolve this matter correctly.
12

13
14
15 Dated: August 24th, 2022

16 Respondent, In Pro Per

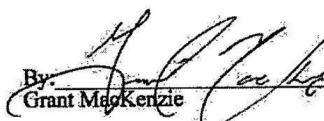
By: 
Grant MacKenzie

Figure B-6 (Part 2 of 2). Continuation and execution page of the Firetag motion excerpt, completing the request and bearing Grant MacKenzie's August 24, 2022 signature.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Hemet Courthouse
Court on its Own Motion

09/01/2022
1:51 PM
Department H4

FLHE1905452
MACKENZIE & MACKENZIE

Honorable Nicholas Firetag, Commissioner
M. Plasencia, Courtroom Assistant
Court Reporter: None

APPEARANCES:

No Appearances

On Court's own motion:

In Response to Notice of Non Stipulation to Commissioner Nicholas Firetag.

Case assigned to Department H5 for hearing and/or reassignment.

Court Trial - Short Cause - Estimated hours (<5 hours) () on 01/12/2023 at 01:30 PM vacated.

Trial Readiness Conference set for 11/10/22 at 08:30 AM in Department H5

Hearing re: Request for Order Change re: Child Support, Spousal or Partner Support, Other:

Dissolution of Marriage Status filed on 08/25/2022 is advanced to today and continued to 11/10/22 at 08:30 am in Department H5.

Notice to be given by Clerk to BRIDGET MACKENZIE, GRANT MACKENZIE, Department of Child Support Services.

Clerk's Certificate of Mailing of minute order dated 09/01/22.

Minute entry completed.

Figure B-7. Court order responding to Firetag non-stipulation by vacating the trial setting and reassigning the matter.

The following figures reproduce pages from the proponent-annotated Wafajow exhibit. Red annotations and characterizations are the proponent's; the underlying court documents, titles, dates, parties, signatures, and operative entries are the evidentiary material independently analyzed in the body.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Southwest Justice Center
30755-D Auld Road, Murrieta, CA 92563

Case Number: UDSW2000157

Case Name: WAFAJOW vs MACKENZIE

Court mailed summons to remote proceeding purports "Judge."
Court mailed record after orders rendered reveal "Commissioner"

NOTICE OF DEPARTMENTAL ASSIGNMENT

The above entitled case is assigned to the Honorable Judge Candice Garcia-Rodrigo in Department S102 for All Purposes.

Fraud - not a judge

Any disqualification pursuant to CCP section 170.6 shall be filed in accordance with that section.

The court follows California Rules of Court, Rule 3.1308(a)(1) for tentative rulings (see Riverside Superior Court Local Rule 3316). Tentative Rulings for each law and motion matter are posted on the internet by 3:00 p.m. on the court day immediately before the hearing at <http://riverside.courts.ca.gov/tentativerulings.shtml>. If you do not have internet access, you may obtain the tentative ruling by telephone at (760) 904-5722.

To request oral argument, you must (1) notify the judicial secretary at (760) 904-5722 and (2) inform all other parties, no later than 4:30 p.m. the court day before the hearing. If no request for oral argument is made by 4:30 p.m., the tentative ruling will become the final ruling on the matter effective the date of the hearing.

The filing party shall serve a copy of this notice on all parties.

	Interpreter services are available upon request. If you need an interpreter, please complete and submit the online Interpreter Request Form (https://riverside.courts.ca.gov/Divisions/InterpreterInfo/ri-ln007.pdf) or contact the clerk's office and verbally request an interpreter. All requests must be made in advance with as much notice as possible, and prior to the hearing date in order to secure an interpreter.
	Assistive listening systems, computer-assisted real time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the Office of the ADA Coordinator by calling (951) 777-3023 or TDD (951) 777-3769 between 8:00 am and 4:30 pm or by emailing ADA@riverside.courts.ca.gov to request an accommodation. A Request for Accommodations by Persons With Disabilities and Order (form MC-410) must be submitted when requesting an accommodation. (Civil Code section 54.8.)

Dated: 12/28/2020
During Covid
Court mandated
telephonic hearings

W. SAMUEL HAMRICK JR.,
Court Executive Officer/Clerk of Court

by: 
A. Lovato, Deputy Clerk

CS-NODACV
(Rev. 10/01/19)

Figure B-8. Wafajow assignment notice identifying Candice Garcia-Rodrigo as Judge; annotations are the proponent's.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Southwest Justice Center
Court Trial – Unlawful Detainer

02/03/2021

8:30 AM

Department S102

Court mailed summons to remote proceeding purports "Judge."
Court mailed record after orders rendered reveal "Commissioner"

UDSW2000157

WAFAJOW vs MACKENZIE

Honorable Candice Garcia-Rodrigo, Commissioner
P. Kinkade, Courtroom Assistant
Court Reporter: None

APPEARANCES:

WAFAJOW, DAVID [PLA] represented by Anthony Burton.

David Wafajow present.

MACKENZIE, GRANT [DEF] represented by Pro Per.

A temporary judge is disqualified in unlawful detainer proceedings
when an Attorney representing one party and the other party is self represented
CRC 2.818(b)(3)

All parties in this proceeding are sworn.

All parties stipulate to Commissioner.

At 09:52 AM, the following proceedings were held:

Opening statement presented by Plaintiff.

Opening statement presented by Defendant.

David Wafajow sworn and examined.

Exhibit List 01 will be created

Exhibit Number 01 added as Residential Lease Agreement of type Document with a status of Marked
and Admitted submitted by the Plaintiff

Exhibit Number 02 added as 60 day notice of type Document with a status of Marked and Admitted
submitted by the Plaintiff

Questions to the Plaintiff posed by the Defendant.

Court finds good cause to continue trial to 2/4/21 at 9:00 AM in Department S102.

Hearing held and continued to 02/04/21 at 09:00 AM in Department S102 (Pre-disposition) Continued

- Trial in progress

Notice waived.

FRAUD ON THE COURT - NO JURISDICTION

No stipulation was requested or given and NO due process
procedures REQUIRED under CRC 2.816 conducted AND
Commissioner was disqualified under CRC 2.818

Fraud, False Certification of Jurisdiction,
Identity Theft, Falsification of a Legal Instrument.

NO RECORD OF LITIGANTS STIPULATING TO A
TEMPORARY JUDGE
ONLY A FALSIFIED STIPULATION TO A COMMISSIONER
PURPORTED TO BE A JUDGE IN SUMMONS

= VOID ORDERS = UNINFORCABLE

Page 1 of 1 Pages

Figure B-9. February 3 unlawful-detainer minute order identifying Garcia-Rodrigo as Commissioner, the represented and self-represented parties, and an all-party stipulation recital.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Southwest Justice Center
Court Trial – Unlawful Detainer

02/04/2021
9:00 AM
Department S102

UDSW2000157
WAFAJOW vs MACKENZIE

Honorable Candice Garcia-Rodrigo, Commissioner
P. Kinkade, Courtroom Assistant
Court Reporter: None

Exhibit List 01 will be closed
Closing argument made by Defendant.
Judgment on Complaint for Unlawful Detainer - Residential (Under \$10,000) of DAVID WAFAJOW for
DAVID WAFAJOW against GRANT MACKENZIE, UNKNOWN OCCUPANT for possession of: 31543
Whitefield Court, Murrieta, CA 92563.
Writ to issue forthwith. 
Judgment to be filed.
Court orders a Memorandum of Costs be filed if costs are requested.

Commissioner (SJO) orders eviction of family during
Covid without temporary judge jurisdiction and
under falsified judge authority

= VOID ORDERS
= UNENFORCEABLE

Page 2 of 2 Pages

Figure B-10. February 4 unlawful-detainer judgment and direction that a writ issue forthwith.

Appellate Division Case Name: <u>MacKenzie v. Superior Court</u>	Appellate Division Case Number:
---	--

① Your Information

a. Petitioner (the party who is asking for the writ):

Name: Grant MacKenzie

Street address: 31543 Whitefield Court Murrieta, CA, 92563
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Phone: _____ E-mail: _____

b. Petitioner's lawyer (skip this if the petitioner does not have a lawyer for this petition):

Name: None-Pro Per State Bar number: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Phone: _____ E-mail: _____

Fax: _____

The Trial Court Action or Ruling You Are Challenging

② I am/My client is filing this petition to challenge an action taken or ruling made by the trial court in the following case:

a. Case name (fill in the trial court case name): Wafajow v. MacKenzie

b. Case number (fill in the trial court case number): UDSW20000157

③ The trial court action or ruling I am/my client is challenging is (describe the action taken or ruling made by the trial court): Had trial by commissioner after falsely saying that the Commissioner was a judge, and then Falsely stating on the minute order that all parties stipulated to the Commissioner, when there was no such stipulation, and the court clerk obeyed the orders of the Commissioner to deny tenants their Constitutional right to Judge, so that she could rule for the Plaintiff.

④ The trial court took this action or made this ruling on the following date (fill in the date): 2/3/21

⑤ If you are filing this petition more than 30 days after the date that you listed in ④, explain the extraordinary circumstances that caused the delay in filing this petition: _____

Revised January 1, 2017

Petition for Writ
(Misdemeanor, Infraction, or Limited Civil Case)

APP-151, Page 2 of 7
→

Figure B-11. APP-151 petition stating that trial was conducted by a commissioner after the notice identified a judge and disputing the stipulation recital.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE
Hall of Justice
Ex parte re: Petition for Writ

03/02/2021
8:30 AM
Appeals

APRI2100018
GRANT MACKENZIE vs RIVERSIDE SUPERIOR COURT

Honorable Otis Sterling III, Judge
Honorable Sunshine Sykes, Judge
Honorable Chad Firetag, Judge
L. Concepcion, Courtroom Assistant
Court Reporter: None

←
←
← **Brother of Commissioner Nicholas Firetag**

APPEARANCES:
No Appearances

↓

The Petition for Writ and Stay are DENIED.
Notice to be given by Clerk to GRANT MACKENZIE, Anthony Walter Burton .
Notice to be given by Clerk to Riverside Superior Court

Three Judges, a commissioner, court clerks, and sheriffs
conspired and aided to knowingly
harden and enforce the defrauding and constitutional violations
under color of law

Page 1 of 1 Pages

SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE
4100 Main Street
Riverside, CA 92501

Several mailings
involving mail fraud

U.S. POSTAGE PITNEY BOWES
ZIP 92504 \$ 000.45⁰
02 4N
0000348240 MAR 03 2021

Figure B-12. March 2, 2021 Appellate Division order summarily denying the writ petition and stay; annotations are the proponent's.

A. Nov. 9 - Rule 2.816 advisement, Grant's non-stipulation, recommendations

Superior Court of California, County of Riverside
Register of Actions
www.riverside.courts.ca.gov

FILE#1905452: MACKENZIE & MACKENZIE

Family Law
Dissolution With Child(ren)
Menifee Justice Center Department M203
Status: Active

The hearing was remote.
Commissioner Newsstrom also read the courtroom posted sign which states: "Courtroom Closed for COVID-19. All parties must appear in person for all hearings." COP § 259, and CRC 2.816

Date	Action
11/09/2023	Hearing re: Notice of Motion (DCSS) re: Other: Determine and set payment on arrears filed on 03/29/2022 at 1:30 PM in Department H4 Honorable Garelt Newsstrom, Commissioner M. Plasencia, Courtroom Assistant E. Mesa, Court Reporter APPEARANCES: GRANT MACKENZIE is present Telephonically, represented by PRO PER BRIDGET MACKENZIE. BRIDGET MACKENZIE is present in Person, Samantha Larkin Other Appearance Notes: Grant Mackenzie present via Telephonic stating his appearance is in special appearance. At 01:52 PM the following proceedings were heard: Commissioner Newsstrom Court gives an oral advisement regarding status of as Judge Pro Tem and recites the Court's posting to the public on the record. Bridget Mackenzie stipulates to Commissioner Garelt Newsstrom. Grant Mackenzie does not stipulate to Commissioner Garelt Newsstrom. Parties sworn en masse. Issues discussed with the Court. Court finds and Orders. Court has read and considered all documents filed for today's hearing. On 12/14/22 Commissioner Garelt Newsstrom is appointed pursuant to FC 4251. The Court will not be making findings today and will submit recommendations to Presiding Judge. Argument presented by Samantha Larkin. Argument presented by Grant Mackenzie Argument presented by Bridget Mackenzie Matter is placed on second call. Matter is recalled at 03:18 PM. All parties previously present are again present. Further issues discussed regarding jurisdiction. Court grants party's motion regarding objection made by Grant Mackenzie is overruled. Bridget Mackenzie gives testimony. Grant Mackenzie informs the Court he will not participate further in the proceedings as he states his appearance is by "special appearance" but remains via Zoom throughout the entire proceedings. DCSS to complete an updated audit. DCSS to serve and file further briefing based on the testimony given

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B. Jan. 11 - FL-666 objection and electronic-service proof docketed

Superior Court of California, County of Riverside
Register of Actions
www.riverside.courts.ca.gov

FILE#1905452: MACKENZIE & MACKENZIE

Family Law
Dissolution With Child(ren)
Menifee Justice Center Department M203

Despite previously striking down the motion to disqualify against her, claiming she was no longer involved in the case, Newsstrom then filed and imposed her recommended orders after reviewing the issues and evidence presented in the motion to disqualify, further materially moving herself in the case.

Date	Action
01/03/2024	Court on its Own Motion at 3:02 PM in Department H5 Honorable Garelt Newsstrom, Commissioner M. Plasencia, Courtroom Assistant Court Reporter: None APPEARANCES: No Appearances Court subsequently rules on matter taken under submission on 11/09/23 as follows: Hearing re: Notice of Motion (DCSS) re: Other: Having considered the submitted matter the court rules as follows: Court's ruling attached to Minute Order and incorporated herein by reference. Court's ruling sent to BRIDGET CHLOEE MACKENZIE; COUNTY OF RIVERSIDE; GRANT WILLIAM MACKENZIE by mail on 01/03/24. Minute entry completed.
01/11/2024	Notice of Objection (Findings and Recommendation of Commissioner) - (FL-666) Filed By: GRANT MACKENZIE Proof of Service re: Notice of Objection- Determine and Set Payment Arrears Service Type: Electronic Service Date Served: 01/11/2024 Filed By: GRANT MACKENZIE Against / As To: BRIDGET MACKENZIE Support-Declaration-Attachment FL-157 Spousal or Domestic Partner Support-Declaration-Attachment Filed By: GRANT MACKENZIE Proof of Service re: FL-157 Spousal or Domestic Partner Support Declaration Attachment FL-158 Request for Attorney Fees & Costs Attachment Service Type: Electronic Service Date Served: 01/13/2024 Filed By: GRANT MACKENZIE Against / As To: BRIDGET MACKENZIE Violation Warning- Denial of Rights Under Color of Law Form COJ Filed By: GRANT MACKENZIE

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Figure B-13 (Part 1 of 2). Newsstrom/Lafferty review chain: November 9 non-stipulation and recommendations; January 11 FL-666 objection and electronic-service proof. Panels A-B reproduce full proponent-annotated source pages; the analysis relies on the underlying court entries.

C. Jan. 18 FL-667 - 'no objection' checked;
ratification; no de novo setting

SUPERIOR COURT OF CALIFORNIA, COUNTY OF		FILED JAN 19 2024 CLERK'S OFFICE COUNTY OF RIVERSIDE
STREET ADDRESS CITY AND STATE ZIP AND ZIP+4 ATTORNEY NAME		FILE NO. 19-00000000
PETITIONER/PLAINTIFF: BRIDGET MACKENZIE		
RESPONDENT/DEFENDANT: GRANT MACKENZIE		
OTHER PARTY (Party) County of Riverside		
REVIEW OF COMMISSIONER'S FINDINGS OF FACT AND RECOMMENDATION		CASE NUMBER FLHE1905452

1. HEARING WAS HELD BEFORE Commissioner (name): Garret Newton
on (date): 11/9/23

2. The Findings and Recommendation of Commissioner was filed on (date): 11/9/24

3. ☒ No objection having been filed with 10 court days, the Findings of Fact and recommended order of the Commissioner are
affirmed. Each of the parties is ordered to comply with all the terms of the order.

4. a. ☐ An objection was filed on (date): _____ by (person): _____
OR
b. ☐ The Findings and Recommendation of Commissioner is in error.

c. A hearing de novo is set for
(1) Date: _____ Time: _____ Day: _____ Hour: _____ Room: _____
(2) The address of the court ☐ is shown above ☐ is as follows: _____

d. ☐ THE FOLLOWING ARE THE TEMPORARY ORDERS:
(1) ☐ The recommended orders of the commissioner.
(2) ☐ Other (specify): _____

Date: 11/9/24 ☐ Continued to Attachment 4d.

Seán P. Lafferty
JUDICIAL CLERK
Seán P. Lafferty
☐ SIGNATURE FOLLOWING LATER ATTACHMENT

D. FL-667 page 2 - Clerk's certificate of mailing
uncompleted

CLERK'S CERTIFICATE OF MAILING

PETITIONER/PLAINTIFF: BRIDGET MACKENZIE	CASE NUMBER FLHE1905452
RESPONDENT/DEFENDANT: GRANT MACKENZIE	
OTHER PARTY (Party) County of Riverside	

I certify that I am not a party to this cause and that a true copy of the Review of Commissioner's Findings of Fact and Recommendation
was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the form was mailed
at (place): _____ California.
on (date): _____

Date: _____ Clerk, by _____ Deputy
_____ _____
_____ _____
_____ _____

**NOT MAILED - NO NOTICE TO RESPONDENT.
ONLY VEGUE CASE SUMMARY ENTRY.**

Figure B-13 (Part 2 of 2). January 18 FL-667 "no objection" ratification with no de novo setting, followed by the uncompleted clerk mailing certificate.

APPENDIX C. SOURCE RECORD INDEX

- Declaration of Levi Grant MacKenzie and Verified Narrative Account of Material Portions of July 16, 2026 Arraignment; Declaration of Grant William MacKenzie; both separately verified and not represented as an official court-reporter or court-certified transcript.
- Department 2K morning warrant-arraignment order and same-day section 170.3 recusal order.
- Riverside case summary, People v. Levi Grant MacKenzie, No. MIIN2504643.
- Firetag Motion/Non-Stipulation packet and September 2022 court orders.
- November 9, 2023 Newstrom minute order; November-December 2023 Newstrom/Lafferty disqualification docket entries and strike orders; January 3, 2024 recommendations; January 11 FL-666 objection and proof of service; January 18 Lafferty FL-667 review and uncompleted mailing certificate.
- Newstrom/Lafferty evidentiary-chain exemplar reproducing the above court-generated records, with proponent annotations distinguished from the underlying entries.
- Riverside commissioner signage photographs and Rule 2.816 analysis materials.
- Exhibit B - Minute Order Evidence; Kirk omnibus disqualification materials and service records.
- Exhibit C - Mathis Judicial Unfitness materials and referenced DVRO/family-law minutes.
- Institutional judiciary, Public Defender, Sheriff, and Court Services notices and delivery records.
- Levi process-server affidavit, proofs of service, April 30 citation, charging documents, warrant declaration, and case summary.
- Official constitutional, statutory, rule, local-rule, and published authorities identified in the Table of Authorities, including Government Code sections 72190.1 and 69957; Penal Code sections 988 and 1024; 67 Ops.Cal.Atty.Gen. 162 (1984) (Opn. No. 83-913); California Rules of Court, rule 2.952; and the Riverside-specific Mount San Jacinto misdemeanor authority comparator; California Law Revision Commission Staff Memorandum 2002-32 (June 27, 2002); and Judicial Council/AOC, Subordinate Judicial Officers: Duties and Titles, SJO Working Group Report (July 2002).
- Department 2K recording-verification materials to be obtained: recording file if any; section 69957 classification/authorization; notice; system and equipment logs; access/review history; retention/deletion records; and any documented Presiding Judge or authorized supervisory review.