

Plaintiff lives resides or receives mail at 299 17th Street San Diego Ca 92101

Defendant San Diego Police department work or receives mail at San Diego Police Department 1401 Broadway Ave San Diego, CA 92101

Defendant San Diego Police Officer Simon Adams works or receives mail at San Diego Police Department 1401 Broadway Ave San Diego, CA 92101

Defendant San Diego Police Officer Maynard works or receives mail at San Diego Police Department 1401 Broadway Ave San Diego, CA 92101

Defendant San Diego Police Officer Flaherty works or receives mail at San Diego Police Department 1401 Broadway Ave San Diego, CA 92101

COUNT I

Now comes the Plaintiff, Bryan K Tew, In Pro Se, and alleges and avers the following:

1. The Defendant, San Diego Police Detective Simon Adams is an San Diego Police Officer, licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
2. The Defendant, San Diego Police Officer Maynard is a San Diego Police Officer, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
3. The Defendant, San Diego Police Department is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
4. The Defendant, San Diego Police Officer Flaherty is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein

5. That Police Officers Simon Adams and Officer Maynard and Officer Flaherty (first names unknown) are employees of San Diego Police Department who investigated, or were suppose to investigate, a number of crimes committed against me in the city of San Diego, CA and elsewhere or who were involved in that investigation and through their acts and/or omissions corrupted it, failed to properly administer that investigation or refused to do so outright.
6. That on or about March 28 2013 I was assaulted battered robbed of valuable items including crucial evidence in a federal lawsuit, threatened with violence, as well as having larceny committed against me and other crimes both before and after that incident and explained this to the police Officer Flaherty who arrived and took the report (Case # 13-011963 and Incident # 13030051065) and established that a crime had taken place and spoke with witnesses and then determined that a number of crimes had taken place against me and told me to contact the police department the next day and that a police officer would contact regarding the matter. However, when told him about the fact that this involved a federal and state lawsuit he would not even discuss it with me. I had video camera glasses on and partial footage of the crimes and explained this to the police officer Flaherty but he refused to take the evidence telling me to turn it in later, despite the fact that I explained to him and the other police officers that they were stealing evidence and, as such, I needed him to take the micro sd card then and there to prevent the destruction or spoliation of evidence in a crime. Shortly thereafter the Micro SD Card was stolen and the camera left. I explained this to detective Adams in writing in an email and afterwards and I reported it and the other crimes committed against me to the San Diego Chief of Police office by email and I filed a complaint about it via email with Detective Adams and Police Chief via email and other crimes being committed against me by the FBI and its army of provocateurs, which plaintiff believes may include police informants but police never did anything and flat told me they would not do anything and that my case would be 'case closed' despite the fact that crimes had been documented by the police to have taken place. Since then plaintiff has been repeatedly attacked, harassed, etc., even before that time, by FBI provocateurs, which plaintiff believes may include police informants, and police refused to investigate. As such there was a clear pattern of evidence to back up my allegations and the crimes the police were supposed to be investigating.
7. At the time of the incident and all other times pertinent herein, Plaintiff was a citizen of San Diego and the police owed me a "duty to TAKE care' and to exercise reasonable due diligence and investigate the crimes properly so as to prevent the repeated attacks against me thereafter and this duty to TAKE care by way of due diligence and adherence to the proper standards of the

- profession and police code existed and Plaintiff relied on their help, expertise, skill and advice which they failed to properly administer and apply by willfully and deliberately breaching that duty and by failure of the defendants to adhere to the standards of the police conduct and code and Plaintiff suffered severe physical financial and psychological damage because of it.
8. As such, a causal relationship between such a breach of duty and injury to the plaintiff occurred and the existence of damages that flow from those injuries are such that the legal system can provide redress.
 9. This is Gross Negligence and also amounts to a 'Negligent Tort' It was 'willful and deliberate' and as such amounts to an 'Intentional Tort' as they knew plaintiff was in danger and would not help or even investigate and plaintiff believes San Diego Police Dept may even be accomplices to these crimes. Instead they detained plaintiff without reasonable grounds and abused the medical protocol by inventing their own pseudo psychology and using the 5150 medical protocol as a weapon against plaintiff to attack, intimidate, harass and place plaintiff under discriminatory arrest when he had committed no crime and had acted in no such way as to justify their illegal and unethical behavior. Defendants did this in complicity with the FBI to prevent plaintiff from seeking justice through proper channels even though plaintiff was a victim of a crime which police had determined to have occurred and was therefore entitled to police protection and the protection of the court as plaintiff was a witness in a federal lawsuit which he made clear to defendants.
 10. The defendants told me the crimes against me would be properly investigated and were not and that these crimes would be properly documented and were not and that evidence would be taken secured and applied and was not & that conduct constitutes active concealment, and liability attaches. Stated otherwise, when active concealment is demonstrated, it has the same legal effect as 'Fraudulent and Negligent Misrepresentation'. Officers Flaherty, Adams, and Maynard deliberately refused to take the evidence and investigate & documented crime properly and did so in such a way as to constitute obstruction of justice and destruction of evidence and were complicit in this so FBI would have time to destroy evidence obstruct justice so as to ensure that criminal evidence and documentation could not be used to verify or corroborate plaintiffs allegations against FBI and its provocateurs.
 11. Plaintiffs injuries were caused 'Directly and Proximately' by the defendants acts and omissions and in their failing to adhere to the proper standards of the police conduct and code which was likely to and did cause serious harm to the plaintiff including but not limited to loss of property, destruction of evidence, obstruction of justice, other tortuous offences including those which caused severe mental anguish and emotional duress, shock, inconvenience, repeated attacks by what plaintiff knows to be FBI

- provocateurs who threatened Plaintiff with death on several occasions. Plaintiff was tipped off it was the FBI by a girl working in a hotel in Florence KY in 2010 and made this known to police but they would not help or even listen. Plaintiff has been assaulted and battered beaten up and hospitalized threatened spit on harassed etc by total strangers he never met before and never even spoke a word to or ever even saw before after refusing to drop lawsuit. Indeed, audio recording in the possession of William Bingle states DROP THE LAWSUIT AND HARASSMENT WILL END. Defendants knew the content of the audio recording because they were provided a copy of the transcript which plaintiff explained to them. Plaintiff was tipped off it was the FBI by girl working in a hotel in Florence, KY, but police would not listen or help or take steps to protect plaintiff who was a witness in a federal lawsuit and entitled to courts protection.
12. Indeed, Plaintiff pleads with San Diego Police to stop harassment and attacks by FBI and its provocateurs. Not only did police refuse to help plaintiff but even engaged in the same very crimes against plaintiff.
 13. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1512. TAMPERING WITH A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 14. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1513 RETALIATING AGAINST A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 15. Plaintiff was entitled to immediate police protection under OBSTRUCTION OF JUSTICE BY HARASSMENT (18 U.S.C. 1512(d)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 16. Plaintiff was entitled to immediate police protection under OBSTRUCTION BY VIOLENCE (18 U.S.C. 1512(a)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 17. Plaintiff was entitled to immediate police protection under AUXILIARY OFFENSES and LIABILITY OBSTRUCTION BY INTIMIDATION, THREATS, PERSUASION or DECEPTION (18 U.S.C. 1512(b)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 18. Further, Plaintiff states that defendants had knowledge of the hazards and events as plaintiff informed them what was happening and notwithstanding this knowledge, the defendants failed to act, and by doing so allowed harassment intimidation threats assaults batteries etc to continue to occur to plaintiff and not only did they allow them to occur but engaged in some of the very same crimes against plaintiff,

19. Plaintiff sent a number of letters and emails to the San Diego Police Chief complaining of these crimes just days before the ones here in San Diego even took place, and after, and yet, nothing was done and plaintiff was told by Officer Simon Adams and officer Maynard nothing would be done. This was said to plaintiff despite the fact that these crimes against plaintiff had been documented by the San Diego Police to have occurred and were in need of proper investigation and verification. Plaintiff was unable to defend himself in court and get an injunction against harassment, attacks, etc., because plaintiff could not properly prosecute and prove his case without the evidence of the police investigations which police refused to properly perform or provide.
20. As such defendants knew injuries were substantially certain to occur and to continue to occur. They knew plaintiff was subject to dangerous and hazardous conditions and that injury was substantially certain to occur.
21. Plaintiff states that the actions of the defendants were deliberate, intentional, malicious, and in willful and wanton disregard for the health and safety of the plaintiff. Plaintiff has sustained serious injuries including to my back, head, neck, legs, spine, and internal organs, and that he has incurred substantial medical expenses in the care and treatment of said injuries to date to an extent which cannot yet be determined or in the exercise of reasonable exercise of due diligence be ascertained at this time. Plaintiff has lost wages during this time because of his inability to work which cannot yet be determined or in the exercise of due diligence be reasonably ascertained at this time. Plaintiff's injuries are permanent and partially disabling and Plaintiff will continue to incur lost wages and medical expenses in the future to an extent which cannot yet be determined or through the reasonable exercise of due diligence be ascertained at this time. Plaintiff continues to suffer from pain, shock, nervous disorder and reaction, with all of the foregoing to his damages.
22. Defendants engaged in 'Despicable Conduct' and acted with a conscious disregard of plaintiff's rights and safety. This was "despicable conduct" that was intentionally carried out by the defendants with a willful and conscious disregard of plaintiff's rights and safety or the rule of law they were sworn to uphold as police officers. The actions of the defendants constituted intentional misrepresentations, deceit, and/or concealment of material facts known, with the intention on the part of the defendants of depriving the plaintiff of his legal rights causing great injury.
23. Plaintiff told the defendants the terrible crimes which were being committed against him because of lawsuit and to derail lawsuit and defendants did nothing. Plaintiff was a witness in a lawsuit before the court and was entitled to courts protection and police protection.

24. Plaintiff told defendants that FBI had destroyed evidence in previous lawsuit and defendants did nothing to secure evidence of crime which took place and refused to even look into whether it happened or inform the court, and that evidence (i.e. Video Recording of Some of the Crimes) was crucial evidence in my case. As such I continued to warn them that this illegal behavior would continue and tried to get them to accept evidence which they refused to do with the result that the FBI and its provocateurs stole the Micro SD Card. I even informed defendants that this had happened and they also refused to properly investigate those crimes as well and I even reported them to the San Diego Chief of Police and asked his office to look into it which they steadfastly refused to do.
25. Defendants colluded and conspired with FBI to deny plaintiff his rights property and crucial evidence he needed to prosecute his case, and to obstruct justice.
26. Plaintiff was tipped off it was FBI by a girl working in a hotel in Florence KY and made this known to defendants and defendants tried to portray plaintiff as delusional. Plaintiff is no delusional. Indeed, FBI has refused to turn over records in plaintiff's FOIA request stating they had "no main file records" on me but records may exist which are exempt. Plaintiff knows for a fact he has an FBI file as an assistant prosecutor in an unrelated misdemeanor case told a judge, my lawyer and myself in a court of law I had an FBI file and that statement is a matter of legal record. Defendants colluded and conspired with FBI to deny plaintiff his rights to justice, and crucial evidence he needed to prosecute his case, and did so in order to obstruct justice in the plaintiff's lawsuits.
27. Plaintiff told the defendants the terrible crimes which were being committed against him on a daily basis because of lawsuit and to derail lawsuit and defendants did nothing refusing to act even after crimes had been determined by them to have taken place, and when plaintiff said he would defend himself if attacked again the police deliberately misconstrued this (which was not possible as it was in writing and not verbal) statement and used it as a means to abuse the medical protocol and invented their own pseudo psychology and used the 5150 psych medical protocol as a weapon to harass and intimidate plaintiff, calling in a psychiatrist before I had even arrived at the police station and improperly detain plaintiff and placing plaintiff under 'discriminatory arrest'. Plaintiff was a witness in a federal lawsuit before the federal court in San Diego and was entitled to police protection and proper due diligence by police to investigate these crimes which police deliberately refused to do.
28. Wherefore, Plaintiff, Bryan Tew, prays judgment against the defendant, San Diego Police Department, in a sum commensurate with the damages

described herein in excess of twenty five thousand dollars (\$25,000.00) for compensatory and exemplary or punitive damages plus pre-judgment interests for his costs of court expended herein.

COUNT II

Plaintiff repeats and incorporates herein by reference the allegations in the preceding paragraphs of this complaint, as if set forth fully herein; and all allegations under the law, as stated

Now comes the Plaintiff, Bryan K Tew, In Pro Se, and alleges and avers the following:

29. The Defendant, San Diego Police Detective Simon Adams is an San Diego Police Officer, licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
30. The Defendant, San Diego Police Officer Maynard is a San Diego Police Officer, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
31. The Defendant, San Diego Police Department is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
32. The Defendant, San Diego Police Officer Flaherty is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
33. That Police Officers Simon Adams and Officer Maynard and Officer Flaherty (first names unknown) are employees of San Diego Police Department who investigated, or were suppose to investigate, a number of crimes committed against me in the city of San Diego, CA and elsewhere or who were involved in that investigation and through their acts and/or omissions corrupted it, failed to properly administer that investigation or refused to do so outright.
34. That on or about March 28 2013 I was assaulted battered robbed of valuable items including crucial evidence in a federal lawsuit, threatened with violence, as well as having larceny committed against me and other crimes both before and after that incident and explained this to the police Officer Flaherty who arrived and took the report (Case # 13-011963 and Incident # 13030051065)

and established that a crime had taken place and spoke with witnesses and then determined that a number of crimes had taken place against me and told me to contact the police department the next day and that a police officer would contact regarding the matter. However, when I told him about the fact that this involved a federal and state lawsuit he would not even discuss it with me. I had video camera glasses on and partial footage of the crimes and explained this to the police officer Flaherty but he refused to take the evidence telling me to turn it in later, despite the fact that I explained to him and the other police officers that they were stealing evidence and, as such, I needed him to take the micro sd card then and there to prevent the destruction or spoliation of evidence in a crime. Shortly thereafter the Micro SD Card was stolen and the camera left. I explained this to detective Adams in writing in an email and afterwards and I reported it and the other crimes committed against me to the San Diego Chief of Police office by email and I filed a complaint about it via email with Detective Adams and Police Chief via email and other crimes being committed against me by the FBI and its army of provocateurs, which plaintiff believes may include police informants but police never did anything and flat told me they would not do anything and that my case would be 'case closed' despite the fact that crimes had been documented by the police to have taken place. Since then plaintiff has been repeatedly attacked, harassed, etc., even before that time, by FBI provocateurs, which plaintiff believes may include police informants, and police refused to investigate. As such there was a clear pattern of evidence to back up my allegations and the crimes the police were supposed to be investigating.

35. At the time of the incident and all other times pertinent herein, Plaintiff was a citizen of San Diego and the police owed me a "duty to TAKE care' and to exercise reasonable due diligence and investigate the crimes properly so as to prevent the repeated attacks against me thereafter and this duty to TAKE care by way of due diligence and adherence to the proper standards of the profession and police code existed and Plaintiff relied on their help, expertise, skill and advice which they failed to properly administer and apply by willfully and deliberately breaching that duty and by failure of the defendants to adhere to the standards of the police conduct and code and Plaintiff suffered severe physical financial and psychological damage because of it.
36. As such, a causal relationship between such a breach of duty and injury to the plaintiff occurred and the existence of damages that flow from those injuries are such that the legal system can provide redress.
37. This is Gross Negligence and also amounts to a 'Negligent Tort' It was 'willful and deliberate' and as such amounts to an 'Intentional Tort' as they knew plaintiff was in danger and would not help or even investigate and plaintiff

- believes San Diego Police Dept may even be accomplices to these crimes. Instead they detained plaintiff without reasonable grounds and abused the medical protocol by inventing their own pseudo psychology and using the 5150 medical protocol as a weapon against plaintiff to attack, intimidate, harass and place plaintiff under discriminatory arrest when he had committed no crime and had acted in no such way as to justify their illegal and unethical behavior. Defendants did this in complicity with the FBI to prevent plaintiff from seeking justice through proper channels even though plaintiff was a victim of a crime which police had determined to have occurred and was therefore entitled to police protection and the protection of the court as plaintiff was a witness in a federal lawsuit which he made clear to defendants.
38. The defendants told me the crimes against me would be properly investigated and were not and that these crimes would be properly documented and were not and that evidence would be taken secured and applied and was not & that conduct constitutes active concealment, and liability attaches. Stated otherwise, when active concealment is demonstrated, it has the same legal effect as 'Fraudulent and Negligent Misrepresentation'. Officers Flaherty, Adams, and Maynard deliberately refused to take the evidence and investigate & documented crime properly and did so in such a way as to constitute obstruction of justice and destruction of evidence and were complicit in this so FBI would have time to destroy evidence obstruct justice so as to ensure that criminal evidence and documentation could not be used to verify or corroborate plaintiffs allegations against FBI and its provocateurs.
39. Plaintiffs injuries were caused 'Directly and Proximately' by the defendants acts and omissions and in their failing to adhere to the proper standards of the police conduct and code which was likely to and did cause serious harm to the plaintiff including but not limited to loss of property, destruction of evidence, obstruction of justice, other tortuous offences including those which caused severe mental anguish and emotional duress, shock, inconvenience, repeated attacks by what plaintiff knows to be FBI provocateurs who threatened Plaintiff with death on several occasions. Plaintiff was tipped off it was the FBI by a girl working in a hotel in Florence KY in 2010 and made this known to police but they would not help or even listen. Plaintiff has been assaulted and battered beaten up and hospitalized threatened spit on harassed etc by total strangers he never met before and never even spoke a word to or ever even saw before after refusing to drop lawsuit. Indeed, audio recording in the possession of William Bingle states DROP THE LAWSUIT AND HARASSMENT WILL END. Defendants knew the content of the audio recording because they were provided a copy of the transcript which plaintiff explained to them. Plaintiff was tipped off it was the FBI by girl working in a hotel in Florence, KY, but police would not listen or

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40. Indeed, Plaintiff pleads with San Diego Police to stop harassment and attacks by FBI and its provocateurs. Not only did police refuse to help plaintiff but even engaged in the same very crimes against plaintiff.
 41. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1512. TAMPERING WITH A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 42. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1513 RETALIATING AGAINST A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 43. Plaintiff was entitled to immediate police protection under OBSTRUCTION OF JUSTICE BY HARASSMENT (18 U.S.C. 1512(d)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 44. Plaintiff was entitled to immediate police protection under OBSTRUCTION BY VILOENCE (18 U.S.C. 1512(a)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 45. Plaintiff was entitled to immediate police protection under AUXILARY OFFENSES and LIABILITY OBSTRUCTION BY INTIMIDATION, THREATS, PERSUASION or DECEPTION (18 U.S.C. 1512(b) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
 46. Further, Plaintiff states that defendants had knowledge of the hazards and events as plaintiff informed them what was happening and notwithstanding this knowledge, the defendants failed to act, and by doing so allowed harassment intimidation threats assaults batteries etc to continue to occur to plaintiff and not only did they allow them to occur but engaged in some of the very same crimes against plaintiff,
 47. Plaintiff sent a number of letters and emails to the San Diego Police Chief complaining of these crimes just days before the ones here in San Diego even took place, and after, and yet, nothing was done and plaintiff was told by Officer Simon Adams and officer Maynard nothing would be done. This was said to plaintiff despite the fact that these crimes against plaintiff had been documented by the San Diego Police to have occurred and were in need of proper investigation and verification. Plaintiff was unable to defend himself in court and get an injunction against harassment, attacks, etc., because plaintiff could not properly prosecute and prove his case without the evidence of the police investigations which police refused to properly perform or provide.

48. As such defendants knew injuries were substantially certain to occur and to continue to occur. They knew plaintiff was subject to dangerous and hazardous conditions and that injury was substantially certain to occur.
49. Plaintiff states that the actions of the defendants were deliberate, intentional, malicious, and in willful and wanton disregard for the health and safety of the plaintiff. Plaintiff has sustained serious injuries including to my back, head, neck, legs, spine, and internal organs, and that he has incurred substantial medical expenses in the care and treatment of said injuries to date to an extent which cannot yet be determined or in the exercise of reasonable exercise of due diligence be ascertained at this time. Plaintiff has lost wages during this time because of his inability to work which cannot yet be determined or in the exercise of due diligence be reasonably ascertained at this time. Plaintiff's injuries are permanent and partially disabling and Plaintiff will continue to incur lost wages and medical expenses in the future to an extent which cannot yet be determined or through the reasonable exercise of due diligence be ascertained at this time. Plaintiff continues to suffer from pain, shock, nervous disorder and reaction, with all of the foregoing to his damages.
50. Defendants engaged in 'Despicable Conduct' and acted with a conscious disregard of plaintiff's rights and safety. This was "despicable conduct" that was intentionally carried out by the defendants with a willful and conscious disregard of plaintiff's rights and safety or the rule of law they were sworn to uphold as police officers. The actions of the defendants constituted intentional misrepresentations, deceit, and/or concealment of material facts known, with the intention on the part of the defendants of depriving the plaintiff of his legal rights causing great injury.
51. Plaintiff told the defendants the terrible crimes which were being committed against him because of lawsuit and to derail lawsuit and defendants did nothing. Plaintiff was a witness in a lawsuit before the court and was entitled to courts protection and police protection.
52. Plaintiff told defendants that FBI had destroyed evidence in previous lawsuit and defendants did nothing to secure evidence of crime which took place and refused to even look into whether it happened or inform the court, and that evidence (i.e. Video Recording of Some of the Crimes) was crucial evidence in my case. As such I continued to warn them that this illegal behavior would continue and tried to get them to accept evidence which they refused to do with the result that the FBI and its provocateurs stole the Micro SD Card. I even informed defendants that this had happened and they also refused to properly investigate those crimes as well and I even reported them to the San Diego Chief of Police and asked his office to look into it which they steadfastly refused to do.

53. Defendants colluded and conspired with FBI to deny plaintiff his rights property and crucial evidence he needed to prosecute his case, and to obstruct justice.
54. Plaintiff was tipped off it was FBI by a girl working in a hotel in Florence KY and made this known to defendants and defendants tried to portray plaintiff as delusional. Plaintiff is no delusional. Indeed, FBI has refused to turn over records in plaintiff's FOIA request stating they had "no main file records" on me but records may exist which are exempt. Plaintiff knows for a fact he has an FBI file as an assistant prosecutor in an unrelated misdemeanor case told a judge, my lawyer and myself in a court of law I had an FBI file and that statement is a matter of legal record. Defendants colluded and conspired with FBI to deny plaintiff his rights to justice, and crucial evidence he needed to prosecute his case, and did so in order to obstruct justice in the plaintiff's lawsuits.
55. Plaintiff told the defendants the terrible crimes which were being committed against him on a daily basis because of lawsuit and to derail lawsuit and defendants did nothing refusing to act even after crimes had been determined by them to have taken place, and when plaintiff said he would defend himself if attacked again the police deliberately misconstrued this (which was not possible as it was in writing and not verbal) statement and used it as a means to abuse the medical protocol and invented their own pseudo psychology and used the 5150 psych medical protocol as a weapon to harass and intimidate plaintiff, calling in a psychiatrist before I had even arrived at the police station and improperly detain plaintiff and placing plaintiff under 'discriminatory arrest'. Plaintiff was a witness in a federal lawsuit before the federal court in San Diego and was entitled to police protection and proper due diligence by police to investigate these crimes which police deliberately refused to do.
56. Wherefore, Plaintiff, Bryan Tew, prays judgment against the defendant, San Diego Police Officer Simon Adams, in a sum commensurate with the damages described herein in excess of twenty five thousand dollars (\$25,000.00) for compensatory and exemplary or punitive damages plus pre-judgment interests for his costs of court expended herein.

COUNT III

Plaintiff repeats and incorporates herein by reference the allegations in the preceding paragraphs of this complaint, as if set forth fully herein; and all allegations under the law, as stated

Now comes the Plaintiff, Bryan K Tew, In Pro Se, and alleges and avers the following:

57. The Defendant, San Diego Police Detective Simon Adams is an San Diego Police Officer, licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
58. The Defendant, San Diego Police Officer Maynard is a San Diego Police Officer, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
59. The Defendant, San Diego Police Department is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
60. The Defendant, San Diego Police Officer Flaherty is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
61. That Police Officers Simon Adams and Officer Maynard and Officer Flaherty (first names unknown) are employees of San Diego Police Department who investigated, or were suppose to investigate, a number of crimes committed against me in the city of San Diego, CA and elsewhere or who were involved in that investigation and through their acts and/or omissions corrupted it, failed to properly administer that investigation or refused to do so outright.
62. That on or about March 28 2013 I was assaulted battered robbed of valuable items including crucial evidence in a federal lawsuit, threatened with violence, as well as having larceny committed against me and other crimes both before and after that incident and explained this to the police Officer Flaherty who arrived and took the report (Case # 13-011963 and Incident # 13030051065) and established that a crime had taken place and spoke with witnesses and then determined that a number of crimes had taken place against me and told me to contact the police department the next day and that a police officer would contact regarding the matter. However, when I told him about the fact that this involved a federal and state lawsuit he would not even discuss it with me. I had video camera glasses on and partial footage of the crimes and explained this to the police officer Flaherty but he refused to take the evidence telling me to turn it in later, despite the fact that I explained to him and the other police officers that they were stealing evidence and, as such, I

needed him to take the micro sd card then and there to prevent the destruction or spoliation of evidence in a crime. Shortly thereafter the Micro SD Card was stolen and the camera left. I explained this to detective Adams in writing in an email and afterwards and I reported it and the other crimes committed against me to the San Diego Chief of Police office by email and I filed a complaint about it via email with Detective Adams and Police Chief via email and other crimes being committed against me by the FBI and its army of provocateurs, which plaintiff believes may include police informants but police never did anything and flat told me they would not do anything and that my case would be 'case closed' despite the fact that crimes had been documented by the police to have taken place. Since then plaintiff has been repeatedly attacked, harassed, etc., even before that time, by FBI provocateurs, which plaintiff believes may include police informants, and police refused to investigate. As such there was a clear pattern of evidence to back up my allegations and the crimes the police were supposed to be investigating.

63. At the time of the incident and all other times pertinent herein, Plaintiff was a citizen of San Diego and the police owed me a "duty to TAKE care' and to exercise reasonable due diligence and investigate the crimes properly so as to prevent the repeated attacks against me thereafter and this duty to TAKE care by way of due diligence and adherence to the proper standards of the profession and police code existed and Plaintiff relied on their help, expertise, skill and advice which they failed to properly administer and apply by willfully and deliberately breaching that duty and by failure of the defendants to adhere to the standards of the police conduct and code and Plaintiff suffered severe physical financial and psychological damage because of it.
64. As such, a causal relationship between such a breach of duty and injury to the plaintiff occurred and the existence of damages that flow from those injuries are such that the legal system can provide redress.
65. This is Gross Negligence and also amounts to a 'Negligent Tort' It was 'willful and deliberate' and as such amounts to an 'Intentional Tort' as they knew plaintiff was in danger and would not help or even investigate and plaintiff believes San Diego Police Dept may even be accomplices to these crimes. Instead they detained plaintiff without reasonable grounds and abused the medical protocol by inventing their own pseudo psychology and using the 5150 medical protocol as a weapon against plaintiff to attack, intimidate, harass and place plaintiff under discriminatory arrest when he had committed no crime and had acted in no such way as to justify their illegal and unethical behavior. Defendants did this in complicity with the FBI to prevent plaintiff from seeking justice through proper channels even though plaintiff was a victim of a crime which police had determined to have occurred and was

- therefore entitled to police protection and the protection of the court as plaintiff was a witness in a federal lawsuit which he made clear to defendants.
66. The defendants told me the crimes against me would be properly investigated and were not and that these crimes would be properly documented and were not and that evidence would be taken secured and applied and was not & that conduct constitutes active concealment, and liability attaches. Stated otherwise, when active concealment is demonstrated, it has the same legal effect as 'Fraudulent and Negligent Misrepresentation'. Officers Flaherty, Adams, and Maynard deliberately refused to take the evidence and investigate & documented crime properly and did so in such a way as to constitute obstruction of justice and destruction of evidence and were complicit in this so FBI would have time to destroy evidence obstruct justice so as to ensure that criminal evidence and documentation could not be used to verify or corroborate plaintiffs allegations against FBI and its provocateurs.
67. Plaintiffs injuries were caused 'Directly and Proximately' by the defendants acts and omissions and in their failing to adhere to the proper standards of the police conduct and code which was likely to and did cause serious harm to the plaintiff including but not limited to loss of property, destruction of evidence, obstruction of justice, other tortuous offences including those which caused severe mental anguish and emotional duress, shock, inconvenience, repeated attacks by what plaintiff knows to be FBI provocateurs who threatened Plaintiff with death on several occasions. Plaintiff was tipped off it was the FBI by a girl working in a hotel in Florence KY in 2010 and made this known to police but they would not help or even listen. Plaintiff has been assaulted and battered beaten up and hospitalized threatened spit on harassed etc by total strangers he never met before and never even spoke a word to or ever even saw before after refusing to drop lawsuit. Indeed, audio recording in the possession of William Bingle states DROP THE LAWSUIT AND HARASSMENT WILL END. Defendants knew the content of the audio recording because they were provided a copy of the transcript which plaintiff explained to them. Plaintiff was tipped off it was the FBI by girl working in a hotel in Florence, KY, but police would not listen or help or take steps to protect plaintiff who was a witness in a federal lawsuit and entitled to courts protection.
68. Indeed, Plaintiff pleads with San Diego Police to stop harassment and attacks by FBI and its provocateurs. Not only did police refuse to help plaintiff but even engaged in the same very crimes against plaintiff.
69. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1512. TAMPERING WITH A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.

70. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1513 RETALIATING AGAINST A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
71. Plaintiff was entitled to immediate police protection under OBSTRUCTION OF JUSTICE BY HARASSMENT (18 U.S.C. 1512(d)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
72. Plaintiff was entitled to immediate police protection under OBSTRUCTION BY VILOENCE (18 U.S.C. 1512(a)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
73. Plaintiff was entitled to immediate police protection under AUXILARY OFFENSES and LIABILITY OBSTRUCTION BY INTIMIDATION, THREATS, PERSUASION or DECEPTION (18 U.S.C. 1512(b)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
74. Further, Plaintiff states that defendants had knowledge of the hazards and events as plaintiff informed them what was happening and notwithstanding this knowledge, the defendants failed to act, and by doing so allowed harassment intimidation threats assaults batteries etc to continue to occur to plaintiff and not only did they allow them to occur but engaged in some of the very same crimes against plaintiff,
75. Plaintiff sent a number of letters and emails to the San Diego Police Chief complaining of these crimes just days before the ones here in San Diego even took place, and after, and yet, nothing was done and plaintiff was told by Officer Simon Adams and officer Maynard nothing would be done. This was said to plaintiff despite the fact that these crimes against plaintiff had been documented by the San Diego Police to have occurred and were in need of proper investigation and verification. Plaintiff was unable to defend himself in court and get an injunction against harassment, attacks, etc., because plaintiff could not properly prosecute and prove his case without the evidence of the police investigations which police refused to properly perform or provide.
76. As such defendants knew injuries were substantially certain to occur and to continue to occur. They knew plaintiff was subject to dangerous and hazardous conditions and that injury was substantially certain to occur.
77. Plaintiff states that the actions of the defendants were deliberate, intentional, malicious, and in willful and wanton disregard for the health and safety of the plaintiff. Plaintiff has sustained serious injuries including to my back, head, neck, legs, spine, and internal organs, and that he has incurred substantial medical expenses in the care and treatment of said injuries to date to an extent which cannot yet be determined or in the exercise of reasonable exercise of due diligence be ascertained at this time. Plaintiff has lost wages during this time because of his inability to work which cannot yet be

determined or in the exercise of due diligence be reasonably ascertained at this time. Plaintiff's injuries are permanent and partially disabling and Plaintiff will continue to incur lost wages and medical expenses in the future to an extent which cannot yet be determined or through the reasonable exercise of due diligence be ascertained at this time. Plaintiff continues to suffer from pain, shock, nervous disorder and reaction, with all of the foregoing to his damages.

78. Defendants engaged in 'Despicable Conduct' and acted with a conscious disregard of plaintiff's rights and safety. This was "despicable conduct" that was intentionally carried out by the defendants with a willful and conscious disregard of plaintiff's rights and safety or the rule of law they were sworn to uphold as police officers. The actions of the defendants constituted intentional misrepresentations, deceit, and/or concealment of material facts known, with the intention on the part of the defendants of depriving the plaintiff of his legal rights causing great injury.
79. Plaintiff told the defendants the terrible crimes which were being committed against him because of lawsuit and to derail lawsuit and defendants did nothing. Plaintiff was a witness in a lawsuit before the court and was entitled to courts protection and police protection.
80. Plaintiff told defendants that FBI had destroyed evidence in previous lawsuit and defendants did nothing to secure evidence of crime which took place and refused to even look into whether it happened or inform the court, and that evidence (i.e. Video Recording of Some of the Crimes) was crucial evidence in my case. As such I continued to warn them that this illegal behavior would continue and tried to get them to accept evidence which they refused to do with the result that the FBI and its provocateurs stole the Micro SD Card. I even informed defendants that this had happened and they also refused to properly investigate those crimes as well and I even reported them to the San Diego Chief of Police and asked his office to look into it which they steadfastly refused to do.
81. Defendants colluded and conspired with FBI to deny plaintiff his rights property and crucial evidence he needed to prosecute his case, and to obstruct justice.
82. Plaintiff was tipped off it was FBI by a girl working in a hotel in Florence KY and made this known to defendants and defendants tried to portray plaintiff as delusional. Plaintiff is no delusional. Indeed, FBI has refused to turn over records in plaintiff's FOIA request stating they had "no main file records" on me but records may exist which are exempt. Plaintiff knows for a fact he has an FBI file as an assistant prosecutor in an unrelated misdemeanor case told a judge, my lawyer and myself in a court of law I had an FBI file and that statement is a matter of legal record. Defendants colluded and conspired

with FBI to deny plaintiff his rights to justice, and crucial evidence he needed to prosecute his case, and did so in order to obstruct justice in the plaintiff's lawsuits.

83. Plaintiff told the defendants the terrible crimes which were being committed against him on a daily basis because of lawsuit and to derail lawsuit and defendants did nothing refusing to act even after crimes had been determined by them to have taken place, and when plaintiff said he would defend himself if attacked again the police deliberately misconstrued this (which was not possible as it was in writing and not verbal) statement and used it as a means to abuse the medical protocol and invented their own pseudo psychology and used the 5150 psych medical protocol as a weapon to harass and intimidate plaintiff, calling in a psychiatrist before I had even arrived at the police station and improperly detain plaintiff and placing plaintiff under 'discriminatory arrest'. Plaintiff was a witness in a federal lawsuit before the federal court in San Diego and was entitled to police protection and proper due diligence by police to investigate these crimes which police deliberately refused to do.

84. Wherefore, Plaintiff, Bryan Tew, prays judgment against the defendant, San Diego Police Officer Flaherty, in a sum commensurate with the damages described herein in excess of twenty five thousand dollars (\$25,000.00) for compensatory and exemplary or punitive damages plus pre-judgment interests for his costs of court expended herein.

COUNT IV

Plaintiff repeats and incorporates herein by reference the allegations in the preceding paragraphs of this complaint, as if set forth fully herein; and all allegations under the law, as stated

Now comes the Plaintiff, Bryan K Tew, In Pro Se, and alleges and avers the following:

85. The Defendant, San Diego Police Detective Simon Adams is an San Diego Police Officer, licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.

86. The Defendant, San Diego Police Officer Maynard is a San Diego Police Officer, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein.
87. The Defendant, San Diego Police Department is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
88. The Defendant, San Diego Police Officer Flaherty is licensed, practicing, registered and doing business under the laws of the State of California, acting by and through agents and employees at all times pertinent herein
89. That Police Officers Simon Adams and Officer Maynard and Officer Flaherty (first names unknown) are employees of San Diego Police Department who investigated, or were suppose to investigate, a number of crimes committed against me in the city of San Diego, CA and elsewhere or who were involved in that investigation and through their acts and/or omissions corrupted it, failed to properly administer that investigation or refused to do so outright.
90. That on or about March 28 2013 I was assaulted battered robbed of valuable items including crucial evidence in a federal lawsuit, threatened with violence, as well as having larceny committed against me and other crimes both before and after that incident and explained this to the police Officer Flaherty who arrived and took the report (Case # 13-011963 and Incident # 13030051065) and established that a crime had taken place and spoke with witnesses and then determined that a number of crimes had taken place against me and told me to contact the police department the next day and that a police officer would contact regarding the matter. However, when I told him about the fact that this involved a federal and state lawsuit he would not even discuss it with me. I had video camera glasses on and partial footage of the crimes and explained this to the police officer Flaherty but he refused to take the evidence telling me to turn it in later, despite the fact that I explained to him and the other police officers that they were stealing evidence and, as such, I needed him to take the micro sd card then and there to prevent the destruction or spoliation of evidence in a crime. Shortly thereafter the Micro SD Card was stolen and the camera left. I explained this to detective Adams in writing in an email and afterwards and I reported it and the other crimes committed against me to the San Diego Chief of Police office by email and I filed a complaint about it via email with Detective Adams and Police Chief via email and other crimes being committed against me by the FBI and its army of provocateurs, which plaintiff believes may include police informants but police never did anything and flat told me they would not do anything and that my case would be 'case closed' despite the fact that crimes had been documented by the police to have taken place. Since then plaintiff has been

repeatedly attacked, harassed, etc., even before that time, by FBI provocateurs, which plaintiff believes may include police informants, and police refused to investigate. As such there was a clear pattern of evidence to back up my allegations and the crimes the police were supposed to be investigating.

91. At the time of the incident and all other times pertinent herein, Plaintiff was a citizen of San Diego and the police owed me a "duty to TAKE care" and to exercise reasonable due diligence and investigate the crimes properly so as to prevent the repeated attacks against me thereafter and this duty to TAKE care by way of due diligence and adherence to the proper standards of the profession and police code existed and Plaintiff relied on their help, expertise, skill and advice which they failed to properly administer and apply by willfully and deliberately breaching that duty and by failure of the defendants to adhere to the standards of the police conduct and code and Plaintiff suffered severe physical financial and psychological damage because of it.
92. As such, a causal relationship between such a breach of duty and injury to the plaintiff occurred and the existence of damages that flow from those injuries are such that the legal system can provide redress.
93. This is Gross Negligence and also amounts to a 'Negligent Tort' It was 'willful and deliberate' and as such amounts to an 'Intentional Tort' as they knew plaintiff was in danger and would not help or even investigate and plaintiff believes San Diego Police Dept may even be accomplices to these crimes. Instead they detained plaintiff without reasonable grounds and abused the medical protocol by inventing their own pseudo psychology and using the 5150 medical protocol as a weapon against plaintiff to attack, intimidate, harass and place plaintiff under discriminatory arrest when he had committed no crime and had acted in no such way as to justify their illegal and unethical behavior. Defendants did this in complicity with the FBI to prevent plaintiff from seeking justice through proper channels even though plaintiff was a victim of a crime which police had determined to have occurred and was therefore entitled to police protection and the protection of the court as plaintiff was a witness in a federal lawsuit which he made clear to defendants.
94. The defendants told me the crimes against me would be properly investigated and were not and that these crimes would be properly documented and were not and that evidence would be taken secured and applied and was not & that conduct constitutes active concealment, and liability attaches. Stated otherwise, when active concealment is demonstrated, it has the same legal effect as 'Fraudulent and Negligent Misrepresentation'. Officers Flaherty, Adams, and Maynard deliberately refused to take the evidence and investigate & document crime properly and did so in such a way as to constitute obstruction of justice and destruction of evidence and were

- complicit in this so FBI would have time to destroy evidence obstruct justice so as to ensure that criminal evidence and documentation could not be used to verify or corroborate plaintiffs allegations against FBI and its provocateurs.
95. Plaintiffs injuries were caused 'Directly and Proximately' by the defendants acts and omissions and in their failing to adhere to the proper standards of the police conduct and code which was likely to and did cause serious harm to the plaintiff including but not limited to loss of property, destruction of evidence, obstruction of justice, other tortuous offences including those which caused severe mental anguish and emotional duress, shock, inconvenience, repeated attacks by what plaintiff knows to be FBI provocateurs who threatened Plaintiff with death on several occasions. Plaintiff was tipped off it was the FBI by a girl working in a hotel in Florence KY in 2010 and made this known to police but they would not help or even listen. Plaintiff has been assaulted and battered beaten up and hospitalized threatened spit on harassed etc by total strangers he never met before and never even spoke a word to or ever even saw before after refusing to drop lawsuit. Indeed, audio recording in the possession of William Bingle states DROP THE LAWSUIT AND HARASSMENT WILL END. Defendants knew the content of the audio recording because they were provided a copy of the transcript which plaintiff explained to them. Plaintiff was tipped off it was the FBI by girl working in a hotel in Florence, KY, but police would not listen or help or take steps to protect plaintiff who was a witness in a federal lawsuit and entitled to courts protection.
96. Indeed, Plaintiff pleads with San Diego Police to stop harassment and attacks by FBI and its provocateurs. Not only did police refuse to help plaintiff but even engaged in the same very crimes against plaintiff.
97. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1512. TAMPERING WITH A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
98. Plaintiff was entitled to immediate police protection under 18 U.S.C. § 1513 RETALIATING AGAINST A WITNESS VICTIM OR INFORMANT and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
99. Plaintiff was entitled to immediate police protection under OBSTRUCTION OF JUSTICE BY HARASSMENT (18 U.S.C. 1512(d)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
100. Plaintiff was entitled to immediate police protection under OBSTRUCTION BY VILOENCE (18 U.S.C. 1512(a)) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.

101. Plaintiff was entitled to immediate police protection under AUXILARY OFFENSES and LIABILITY OBSTRUCTION BY INTIMIDATION, THREATS, PERSUASION or DECEPTION (18 U.S.C. 1512(b) and, yet, police not only refused to help plaintiff but engaged in those very crimes against plaintiff.
102. Further, Plaintiff states that defendants had knowledge of the hazards and events as plaintiff informed them what was happening and notwithstanding this knowledge, the defendants failed to act, and by doing so allowed harassment intimidation threats assaults batteries etc to continue to occur to plaintiff and not only did they allow them to occur but engaged in some of the very same crimes against plaintiff,
103. Plaintiff sent a number of letters and emails to the San Diego Police Chief complaining of these crimes just days before the ones here in San Diego even took place, and after, and yet, nothing was done and plaintiff was told by Officer Simon Adams and officer Maynard nothing would be done. This was said to plaintiff despite the fact that these crimes against plaintiff had been documented by the San Diego Police to have occurred and were in need of proper investigation and verification. Plaintiff was unable to defend himself in court and get an injunction against harassment, attacks, etc., because plaintiff could not properly prosecute and prove his case without the evidence of the police investigations which police refused to properly perform or provide.
104. As such defendants knew injuries were substantially certain to occur and to continue to occur. They knew plaintiff was subject to dangerous and hazardous conditions and that injury was substantially certain to occur.
105. Plaintiff states that the actions of the defendants were deliberate, intentional, malicious, and in willful and wanton disregard for the health and safety of the plaintiff. Plaintiff has sustained serious injuries including to my back, head, neck, legs, spine, and internal organs, and that he has incurred substantial medical expenses in the care and treatment of said injuries to date to an extent which cannot yet be determined or in the exercise of reasonable exercise of due diligence be ascertained at this time. Plaintiff has lost wages during this time because of his inability to work which cannot yet be determined or in the exercise of due diligence be reasonably ascertained at this time. Plaintiffs injuries are permanent and partially disabling and Plaintiff will continue to incur lost wages and medical expenses in the future to an extent which cannot yet be determined or through the reasonable exercise of due diligence be ascertained at this time. Plaintiff continues to suffer from pain, shock, nervous disorder and reaction, with all of the foregoing to his damages.
106. Defendants engaged in ‘Despicable Conduct’ and acted with a conscious disregard of plaintiff’s rights and safety. This was “despicable conduct” that was intentionally carried out by the defendants with a willful and conscious

- disregard of plaintiff's rights and safety or the rule of law they were sworn to uphold as police officers. The actions of the defendants constituted intentional misrepresentations, deceit, and/or concealment of material facts known, with the intention on the part of the defendants of depriving the plaintiff of his legal rights causing great injury.
107. Plaintiff told the defendants the terrible crimes which were being committed against him because of lawsuit and to derail lawsuit and defendants did nothing. Plaintiff was a witness in a lawsuit before the court and was entitled to courts protection and police protection.
108. Plaintiff told defendants that FBI had destroyed evidence in previous lawsuit and defendants did nothing to secure evidence of crime which took place and refused to even look into whether it happened or inform the court, and that evidence (i.e. Video Recording of Some of the Crimes) was crucial evidence in my case. As such I continued to warn them that this illegal behavior would continue and tried to get them to accept evidence which they refused to do with the result that the FBI and its provocateurs stole the Micro SD Card. I even informed defendants that this had happened and they also refused to properly investigate those crimes as well and I even reported them to the San Diego Chief of Police and asked his office to look into it which they steadfastly refused to do.
109. Defendants colluded and conspired with FBI to deny plaintiff his rights property and crucial evidence he needed to prosecute his case, and to obstruct justice.
110. Plaintiff was tipped off it was FBI by a girl working in a hotel in Florence KY and made this known to defendants and defendants tried to portray plaintiff as delusional. Plaintiff is no delusional. Indeed, FBI has refused to turn over records in plaintiffs FOIA request stating they had "no main file records" on me but records may exist which are exempt. Plaintiff knows for a fact he has an FBI file as an assistant prosecutor in an unrelated misdemeanor case told a judge, my lawyer and myself in a court of law I had an FBI file and that statement is a matter of legal record. Defendants colluded and conspired with FBI to deny plaintiff his rights to justice, and crucial evidence he needed to prosecute his case, and did so in order to obstruct justice in the plaintiff's lawsuits.
111. Plaintiff told the defendants the terrible crimes which were being committed against him on a daily basis because of lawsuit and to derail lawsuit and defendants did nothing refusing to act even after crimes had been determined by them to have taken place, and when plaintiff said he would defend himself if attacked again the police deliberately misconstrued this (which was not possible as it was in writing and not verbal) statement and used it as a means to abuse the medical protocol and invented their own

pseudo psychology and used the 5150 psych medical protocol as a weapon to harass and intimidate plaintiff, calling in a psychiatrist before I had even arrived at the police station and improperly detain plaintiff and placing plaintiff under 'discriminatory arrest'. Plaintiff was a witness in a federal lawsuit before the federal court in San Diego and was entitled to police protection and proper due diligence by police to investigate these crimes which police deliberately refused to do.

112. Wherefore, Plaintiff, Bryan Tew, prays judgment against the defendant, San Diego Police Officer Maynard, in a sum commensurate with the damages described herein in excess of twenty five thousand dollars (\$25,000.00) for compensatory and exemplary or punitive damages plus pre-judgment interests for his costs of court expended herein.

GROUND FOR RELIEF

Plaintiff repeats and incorporates herein by reference the allegations in the preceding paragraphs of this complaint, as if set forth fully herein; and all allegations under the law, as stated

San Diego Police Department is guilty of felony 'Obstruction of Justice', Destruction of Evidence, and other crimes and tortuous offences including the Intentional Infliction of Mental Anguish and Emotional Duress for telling me the crimes against plaintiff, for which a police report was taken and San Diego Police Officer R. Flaherty had determined real crimes to have taken place would not be investigated and for harassing and intimidating plaintiff, including by unlawful detention and for violation of plaintiffs right under color of law and other torts intentionally and deliberately committed. Police Officer Simon Adams told plaintiff his case would 'not be investigated' and would be "case closed", despite the fact that serious felonies had been established to have taken place by San Diego Police Officer R. Flaherty and

other police officers in that department, which is what plaintiff was told by officer Flaherty when they arrived on scene. Indeed, the whole investigation was nothing but a farce as other police officers on duty who arrived with Officer Flaherty would not even take part in initial investigation or answer plaintiffs questions about investigation or help in any way with the investigation, stating “you must talk only to Officer Flaherty as ‘we cannot and will not help you in this criminal investigation’. It was all make believe and pretend and plaintiff told police robbery and certain other crimes had taken place but police would not even listen. Indeed, plaintiff still had video recorder on sun glasses going while the investigation was under way and that video was stolen by FBI and its provocateurs so that investigation could be deliberately compromised by police.

Plaintiff was repeatedly threatened with violence by FBI provocateurs - Organized Stalking Provocateurs - and assaulted and battered even just days before the robbery etc., incident occurred, and was even kicked in side of ribs. Plaintiff called police and 911 many times pleading for the police to come out and investigate and it took police several hours to respond despite the fact that plaintiff called many times and was in constant communication with 911 and police the whole time. Police cars drove all around even within 100 yards of plaintiff but would not stop to help him. Plaintiff gave 911 his information multiple times including phone number. Police didn't call the number he gave to 911 many times. In fact when police did respond hours later they said they came close to my location and then called a number that was not mine and left. Plaintiff knows for a fact that 911 received his correct number and location because lady on the phone repeated info back to him.

Plaintiff was also ‘Detained and Frisked’ by San Diego Police Officer Simon Adams and Officer Maynard without ‘Probable Cause’ in violation of 42 USC § 1983 civil rights violations ‘under color of law’ and other laws. Police interview quickly became a police interrogation hostile to the plaintiff for no good reason and police could not give plaintiff a reasonable answer as to why this was happening and why he was being detained. When I told the police officers, Officers Adams and Maynard, I wished to speak to an attorney before hostile interrogation continued I was told I “could not speak to an attorney” because I was not under arrest, when I was clearly under ‘Discriminatory Arrest’ by unlawful detention. Plaintiff was recording the whole conversation on his audio recorder, which was subsequently erased as a file from his Smartphone Why else would the recording have been erased from my smartphone by the FBI and its provocateurs if no crime or tortious act had been committed? Why would I have erased crucial evidence to my own lawsuit?

San Diego Police Department continued to force me to answer their questions and even called in a psychiatrist before I even arrived at police station for interrogation for which no reasonable cause could be given. Plaintiff had a recording of entire police interview, including statements of police telling me to turn off recording device immediately. They could record me but said I could “not record” them. The police continued to demand that I turn off the audio recording device and I refused.

San Diego Police Detective Simon Adams and San Diego Police Officer Maynard abused the medical protocol, invented their own pseudo-psychology, and used the psych protocol as a ‘weapon’ to harass and intimidate plaintiff, even telling plaintiff that his case would be “closed” and “not investigated”. Plaintiff has been attacked viciously and brutally and the police have documented some of these attacks but flatly told me they refuse to do anything about it. Plaintiff was not a danger to himself or anyone else and gave them no reason to call a psychiatrist to begin with as plaintiff could take care of himself without intervention quite well thank you. Plaintiff is not a violent person and has no history of violence and had done nothing wrong. Indeed, plaintiff was the victim of the crime and they treated him like the criminal. Plaintiff is certain the FBI was behind these tortious and criminal offences.

These same tactics were used by the Cincinnati Police, and police departments in other places and the Cincinnati Police had plaintiff forcibly detained on a psych hold and carried to a mental hospital when plaintiff told them he was being followed and stalked by groups of people. Cincinnati Police knew FBI was behind this as did other police departments, and San Diego Police Department is no exception. San Diego Police knew FBI was behind it because they were helping FBI carry out their illegal and unethical crimes and torts against me. Plaintiff was falsely misdiagnosed with a mental illness in Cincinnati Ohio which the psychiatrist changed to Delusional Disorder and San Diego Police attempted to repeat this criminal tactic against plaintiff to obstruct justice and destroy evidence. This all was done forcibly and falsely to the plaintiff by San Diego Police and FBI orchestrated it all to destroy plaintiff’s credibility and to prevent the crimes the FBI had committed from being exposed. Plaintiff is not delusional. Plaintiff was tipped off it was FBI in 2010 by a girl working in a hotel in Florence KY and FBI has refused to comply with plaintiff’s FOIA request to turn over records. It is absolutely true the FBI and San Diego Police Department were involved and the defendants knew it and colluded & conspired with FBI to deny plaintiff his rights and to obstruct justice.

Moreover, plaintiff had an audio recording of conversation which FBI and its provocateurs (NSA? Etc) which was suddenly erased from plaintiff’s smart-phone perhaps so they could alter it as they altered the Alex Bowerman recording in another lawsuit in Toledo Ohio. FBI and its provocateurs have repeatedly destroyed

and altered evidence in my lawsuits against them. Even if the recording remains on my Smartphone I cannot access it and am unsure as to whether it has been altered. FBI is extremely worried about the Mr. Wilson recording and is doing everything in its power to destroy my credibility and to obstruct justice so no one will believe it's the Feds in the recording telling me to drop lawsuit and harassment will end, As such, by doing the same thing with the San Diego Police recording FBI hopes to establish 'Plausible Deniability'. The Feds are extremely worried about the Mr. Wilson recording because they are caught in it telling me to drop lawsuit and harassment will end, which is Obstruction of Justice and a felony that even FBI agents could go to prison for if caught.

FBI is using police informants etc., which are nothing more than criminal low life's to stalk, harass and attack plaintiff. FBI and its provocateurs are engaging in tactics that are so "fanciful and fantastic" in nature that they are almost impossible to believe.

It is clearly unlawful for anyone acting with police authority to deprive or conspire to deprive another person of any right protected by the Constitution or laws of the United States (Section 18 U.S.C. § 241 [2000]). San Diego Police Department conspired to deprive plaintiff of help and protection and the need to establish these crimes were taking place and they did this in collaboration with the FBI in order to continue to attack plaintiff viciously.

It is also unlawful for state or local police to engage in a pattern or practice of conduct that deprives persons of their rights (42 U.S.C.A. 14141 [2000]) which they did to me by unlawful detention.

The conduct of the San Diego Police Department is clearly unlawful since for any state or local police to engage in a pattern or practice of conduct that deprives persons of their rights is a clear violation of 42 U.S.C.A. 14141 [2000]. This amounts to 'Willful and Unlawful Conduct' on the part of the San Diego Police Department, not just mere Negligence for which the plaintiff has suffered real harm and damage.

San Diego Police Detective Simon Adams and San Diego Police Officer Maynard, and San Diego Police Officer Flaherty are guilty of 'Police Misconduct', 'Police Corruption', 'Negligence', and 'Bad Faith' and other crimes and tortuous offences which resulted in the plaintiff being denied his rights, justice, and being repeatedly attacked and assaulted, after the crimes were reported, including being spit on, urinated on, provocateurs attempting to knock plaintiff down etc., despite repeatedly pleading with police for help.

Plaintiffs Constitutional and Civil rights have been violated including damage to reputation embarrassment and, moreover, plaintiff has suffered physical financial and psychological harm, all due to police corruption, negligence, bad faith, misconduct, incompetence, and other crimes and tortuous offences which plaintiff will introduce evidence of.

San Diego Police Department are also guilty of collaborating with FBI in federal lawsuit, Federal Bureau of Investigation, to harass and intimidate plaintiff and witness in federal lawsuit, Bryan Tew, in violation of 18 U.S.C. § 1512. TAMPERING WITH A WITNESS VICTIM OR INFORMANT and 18 U.S.C. § 1513 RETALIATING AGAINST A WITNESS VICTIM OR INFORMANT and OBSTRUCTION OF JUSTICE BY HARASSMENT (18 U.S.C. 1512(d) and)); AUXILARY OFFENSES and LIABILITY OBSTRUCTION BY INTIMIDATION, THREATS, PERSUASION or DECEPTION (18 U.S.C. 1512(b).

Plaintiff repeats and incorporates herein by reference the allegations in the preceding paragraphs of this complaint, as if set forth fully herein; and all allegations under the law, as stated

Crimes and Tortious Offences committed by San Diego Police against plaintiff include, but are not limited to the following:

Defendants have committed crimes in accordance with TITLE 18 PART I CHAPTER 37 § 793. Gathering, transmitting or losing information,

Defendants have committed 18 U.S.C. § 241. Conspiracy against rights, California Penal Code 422.6

Defendants have committed 18 U.S.C. § 373. Solicitation to commit a crime of violence, California Penal Code 186.22

Defendants have committed 18 U.S.C. § 1512. Tampering with a witness, victim, or an informant, California Penal Code 136.1 PC

Defendants have committed 18 U.S.C. § 1513. Retaliating against a witness, victim, or an informant, California Penal Codes 261-269

Defendants have committed 10 USC 921, Article 121 -- Larceny and wrongful appropriation or are currently doing so; California Penal Code 484 & 485

Defendants have harassed and transmitted the public to stalk and harass the Plaintiff inclusive of electronically and tangibly, in violation of 18 U.S.C. § 2261: US Code - 2261A: also known as Stalking (not surveillance), California Penal Code 646.9

Defendants have committed 18 USC 35 -- Imparting or conveying false information or are currently doing so, California Penal Code 148.5

Defendants engaged in Actual Fraud and Deceit against the Plaintiff as prohibited by 11 USC Section 523 and **18 U.S.C. 1349**, California Penal Code 96.5

Defendants have committed Witness Tampering (18 U.S.C. 1512)

Defendants have committed Obstruction by Violence (18 U.S.C. 1512(a)), California Penal Code 136.1 and/or California Penal Code 182

Defendants have committed Auxiliary Offenses and Liability Obstruction by Intimidation, Threats, Persuasion, or Deception (18 U.S.C. 1512(b), California Penal Code 136.1 and/or California Penal Code 182

Defendants have committed Obstruction by Destruction of Evidence (18 U.S.C. 1512(c)) , California Penal Code 136.1 and/or California Penal Code 182

Defendants have committed Obstruction by Harassment (18 U.S.C. 1512(d)) against the Plaintiff and are thus liable under federal law which is actionable before a federal court, California Penal Code 136.1 and/or California Penal Code 182

Defendants have committed Unlawful Detention, California Penal Code 236

Defendants have committed attempting to Pervert Justice California Penal Code 182

Plaintiff is entitled to Civil Damages 18 U.S.C. § Rule 2520 in violations of his First, Third, Fifth, and Thirteenth Amendments; 18 U.S.C. § 2510, 18 U.S.C. § 2511, and 18 U.S.C. § 2512.

Plaintiff does know some but not all true names and capacities, whether individual partner or corporate, of each and every defendant stated herein, or to be named, and for that reason sues the said defendants under any fictitious or partial names provided or used. Plaintiff will amend this complaint to allege the names and

capacities of defendants, stated herein or to be named, when possible to ascertain at a later date where necessary.

Defendants are sued as principals, agents, servants, assigns, successors and or employees etc of each other where applicable. All the acts each performed as agents, employees, servants, successors or assigns etc of each other were performed within the course and scope of each defendants authority and employment service assignment succession and/or agency and with the consent of the other defendants stated herein or to be named.

Plaintiff, Bryan Tew, hereby brings this action for injunction relief and damages based on personal knowledge and experience, as a victim and witness, to the information provided, as to all other matters, as to which allegations Plaintiff, without doubt or delusion, will provide proof, irrefutable evidence, overwhelming evidentiary support, witnesses, substantial facts, research, and investigation that exists.

Plaintiff is entitled to Civil Damages 18 U.S.C. § Rule 2520 in violations of his First, Third, Fifth, and Thirteenth Amendments; 18 U.S.C. § 2510, 18 U.S.C. § 2511, and 18 U.S.C. § 2512.

PLEASE BE ADVISED THESE INDIVIDUALS AND ORGANIZATION ACTING IN COLLABORATION WITH FBI HAVE KNOWINGLY AND WILLFULLY VIOLATED 18 USC SECTION 241; 18 USC SECTION 242; 18 USC SECTION 1091; 18 USC SECTION 1503; 18 USC SECTION 2261A; 18 USC SECTION 3; 18 USC SECTION 4; 18 USC SECTION 1512 (d)(2); 18 USC SECTION 1513 (a), 1b, 2b, e; 18 USC SECTION 2382; and 42 USC

1981; 42 USC 1983; 42 USC 1985 (2) and (3); 42 USC 1986; 42 USC 3789 (k) and HAVE ENGAGED IN OBSTRUCTION OF JUSTICE ACROSS THE BOARD.

PLEASE BE ADVISED SEVERAL INDIVIDUALS AND AGENCIES HAVE CONSPIRED TO VIOLATE MY RIGHTS IN VIOLATION OF THE UNRUH ACT and/or BANE ACT and HAVE VIOLATED SEVERAL LAWS IN THE STATE OF CALIFORNIA INCLUDING BUT NOT LIMITED TO CALIFORNIA PENAL CODES 182 a(2), a(4), a(5); 649.9; 236; 630; 258; 422.6 (A) and (B); 1170.75 ALL OF WHICH HAVE INCLUDED VERBAL THREATS AND DEATH THREATS

PLEASE BE ADVISED MY CAREER AND LIFE HAVE BEEN DESTROYED AS A DIRECT AND PROXIMATE RESULT OF THESE ILLEGAL ACTIVITIES AGAINST ME. THE INDIVIDUALS AND ORGANIZATION IN THIS LAWSUIT HAVE CAST ME IN A FALSE LIGHT AS BEING CRAZY and OTHER SLANDEROUS STATEMENTS TO DISCREDIT ME. THE HARASSMENT AND ATTACKS HAVE OCCURED ON A DAILY BASIS THROUGHOUT SAN DIEGO and HAVE INVOLVED INNOCENT PEOPLE IN THESE HARASSMENT INCIDENTS AND ATTACKS AS REPORTED.

THESE EVENTS HAVE OCCURED BECAUSE I BLEW THE WHISTLE ON THE ILLEGAL AND UNETHICAL ACTIONS OF THE FBI WHO USED THE SAND DIEGO POLICE DEPARTMENT AND OTHER LOCAL POLICE DEPARTMENTS AS A WEAPON AGAINST ME. UNDER THE FEDERAL RULES OF EVIDENCE, OTHER MISCONDUCT IS ADMISSIBLE TO SHOW A SYSTEMATIC PATTERN. THERE IS A LONG TRAIN OF CRIMINAL CIVIL RIGHTS

VIOLATIONS and OBSTRUCTION OF JUSTICE THAT NEEDS TO BE IMMEDIATELY INVESTIGATED IN THIS CASE.

The defendants have conspired to violated the Plaintiffs rights under the Constitution and laws of the United States of America while they acted under color of law and/or have oppressed, threatened, and intimidated the Plaintiff in his exercise and enjoyment of his rights and privileges secured to him by the United States Constitution and laws of the United States of America. The Defendants institute, authorize, tolerate, ratify permit and acquiesce in policies, practices and customs of detentions, interrogations, searches and seizures without probable cause, harass without reasonable, articulable suspicion of crime, in their provision of government, law enforcement harassment acts were done with deliberate indifference, knowingly in violation of plaintiffs' legal and constitutional rights, without good faith, and have directly and proximately caused plaintiffs' humiliation, physical injuries yet to be determined that were covered up by the defendants, mental pain and suffering and violation of public trust with the defendants gross negligence, reckless and/or callous indifference to the rights and safety of the Plaintiff and acted in the face of perceived risks that would violate federal law all to the damage of the Plaintiff which constitutes a serious miscarriage of justice. The conspiracy has continued in this district in which all claims can be

heard in this district in that some or all of these wrongs flowed from a conspiracy or conspiracies among the government employees, and local law enforcement who shared a wrongful 'meeting of the minds' in the illicit official desire to 'neutralize the myself, the plaintiff, disrupt and prevent his ability to judicially fight back, and destroy him as extra-judicial punishment and are in clear violation of 18USC section 241 and 241.

The defendants will continue to engage in the willful, wonton, and deliberate violation of the laws of the United States of America and Constitutional rights of the Plaintiff who will continue to suffer gross violations of his Constitutional rights and gross indignities with serious injury or death almost certain based on their death threats and obstruction of justice and this harms the Plaintiffs health and welfare by knowingly and willfully allowing these crimes and criminal civil rights violations and use of dangerous government programs that continue each of which constitutes irreparable injury for which the Plaintiff has no adequate remedy at law.

The FBI have repeatedly used the San Diego Police Department and its officers and also private security officers in harassment incidents that include but not limited to the use of emergency service providers and doctors etc., who directly harassed

the Plaintiff on several occasions and manipulated his medical treatment and when Plaintiff complained the FBI used the police to harass and intimidate plaintiff.

Adequacy

Plaintiff is suffering great physical psychological and financial harm arising from Defendants' violations of state law and federal law, as alleged herein. Plaintiff intends to prosecute this action vigorously. Plaintiff hereby demands injunctive relief and exemplary or punitive damages in a sum commensurate with the damages described herein in excess of twenty five thousand dollars (\$25,000.00) for compensatory and exemplary or punitive damages plus pre-judgment interests for his costs of court expended herein.

DATED: December 9, 2013

s/Bryan Tew

Bryan Tew

In Pro Se