

*Lodged  
Prop. order*

**FILED**

1 Charles Nichols  
2 PO Box 1302  
3 Redondo Beach, CA 90278  
4 Voice: (424) 634-7381  
5 E-Mail: CharlesNichols@Pykrete.info  
6 In Pro Per

2012 JAN 17 PM 3:39

CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY CP

7  
8 United States District Court  
9 Central District of California  
10

11 Charles Nichols,  
12 Plaintiff,  
13 vs.  
14 EDMUND G. BROWN, Jr., in his  
15 official capacity as Governor of  
16 California, KAMALA D. HARRIS,  
17 Attorney General, in her official  
18 capacity as Attorney General of  
19 California, CITY OF REDONDO  
20 BEACH, CITY OF REDONDO  
21 BEACH POLICE DEPARTMENT,  
22 CITY OF REDONDO BEACH  
23 POLICE CHIEF JOSEPH LEONARDI  
24 and DOES 1 to 10,  
25 Defendants.

Case No.:  
CV-11-9916 SJO (SS)

PLAINTIFF'S EX PARTE  
APPLICATION TO SUBMIT  
DOCUMENT UNDER SEAL AND  
REQUEST FOR WAIVER OF  
NOTICE AND MEMORANDUM  
PURSANT TO L.R. 7-19

1 PLEASE TAKE NOTICE that, by submission to the Honorable Suzanne H.  
2 Segal of the United States District Court for the Central District of California,  
3 Western Division 312 N. Spring St. Rm. G-8 Los Angeles, CA 90012 Plaintiff  
4 Charles Nichols hereby applies ex parte to submit a document under seal.  
5 Specifically, a copy of an INCIDENT REPORT filed by Plaintiff with the Los  
6 Angeles County Sheriff's Department reporting a Criminal Threat (California  
7 Penal Code section 422) made against Plaintiff which is referenced in paragraph 15  
8 of the Complaint.

9  
10 Plaintiff requests that the copy of the INCIDENT REPORT be kept under  
11 seal and not be made part of the public record nor be provided to Defendant's, their  
12 attorneys, nor to any other persons beyond those the Court deems essential.

13  
14 None of the Defendant's are mentioned in the INCIDENT REPORT. This  
15 suit does not seek any monetary relief and the only relief requested is  
16 equitable relief. Were the contents of this document to become publicly known it  
17 would place Plaintiff in even greater danger.

18  
19 In the interests of justice, plaintiff requests that memorandum and  
20 notice of counsel be waived. Defendant's attorneys are unknown to  
21 Plaintiff despite repeated requests. All Defendants were requested to waive  
22 service of summons, which was sent to all Defendants on December 3rd, the only  
23 reply from any Defendant was a form letter from the Attorney General's Office  
24 dated December 16<sup>th</sup>, with an "X" next to a line which reads "4. Other: Service is  
25 improper."

26  
27 A request for waiver of service is not "service," neither is it "improper."  
28 Defendants were not even formally served with a summons until January 9<sup>th</sup>. The

1 City of Redondo Beach held a closed session meeting to discuss Plaintiff's lawsuit  
2 on December 6<sup>th</sup>. Defendant Brown received his request for waiver of service on  
3 December 5<sup>th</sup>. Given the press coverage of this lawsuit and their actions,  
4 Defendants can hardly claim that they are unaware of the complaint and their  
5 attorneys should have contacted Plaintiff who is represented In Pro Per.

6  
7 Plaintiff does not know who the counsel for all other parties is pursuant to  
8 L.R. 7-19.1 Despite his repeated attempts to ascertain their identities from  
9 Defendants. Plaintiff cannot compel Defendants to reveal the identity of their  
10 attorneys and therefore a waiver under L.R. 7-19 and submission of the requested  
11 document under seal is proper particularly because no harm comes to the  
12 Defendants by this Court granting permission to submit the document under seal  
13 and to waive notice and memorandum, while at the same time there is potentially  
14 great and even deadly harm to the Plaintiff were the contents of the document to  
15 become public knowledge.

16 Respectfully submitted this 16<sup>th</sup> day of January, 2012.

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23 By: Charles Nichols  
24 Plaintiff in Pro Per  
25 PO Box 1302  
26 Redondo Beach, CA  
27 90278  
28 Voice: (424) 634-7381  
E-Mail:  
CharlesNichols@Pykrete  
.info