

Forte

October 12, 2005

Ms. Diana Valenzuela
Superior Court of California, County of Monterey
Monterey Courthouse
1200 Aguajito Road, 2nd Floor
Monterey, CA 93940

FAXED ONLY

Re: Forte vs. DA Flippo, ADA Spitz, #MAR 125367
Notification of Missing Files

Dear Ms. Valenzuela:

I write this letter to confirm that Sonya of the Court Clerks office informed both my wife and I that the files in the above referenced case are missing from the filing clerks office. Please also accept this as my formal notification to you of such missing files.

It was indicated on the computer screen, which Sonya welcomed us to look at, that the files were to have been on the 2nd floor file shelf. They were not there. The clerk also looked in the downstairs shelves to no avail.

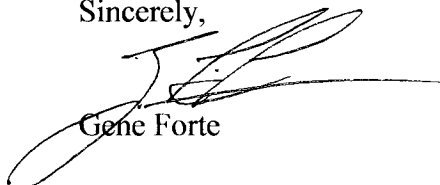
I asked the clerk at the downstairs filing window to ask you to come out and speak with us so that I could request that you prepare a missing files report. After waiting several minutes, the clerk told me that you were on the phone. I waited with my wife for about an additional 15 minutes. I finally told another clerk to inform you that we were leaving but that I wanted to have you informed that the files in the case were missing. The clerk took down the pertinent information to give to you.

Please let me know if there are any other documents, or request forms I need to file with you besides this letter. The speciously missing files are extremely important concerning, and related to recent allegations and investigations that have brought to light Commissioner Richard Rutledge having a propensity for "fixing cases".

I have already formally requested that Judge John Golden refer over for investigation DA Flippo and ADA Spitz to the Federal, State, and County Grand Juries, for knowingly having a conflict of interest in conducting the investigation of Commissioner Rutledge. There is substantial evidence that they in fact themselves, plotted with Commissioner Rutledge, and others to have this, their own case, fixed by Commissioner Rutledge.

Let me know if you have any further questions.

Sincerely,



Gene Forte

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