

Pursuant to California Vehicle Code (CVC) 40902, I respectfully submit this Trial By Written Declaration to the Court. I plead Not Guilty to the charge of CVC 22454 A.

As required, I had paid online for \$626.00 of bail payment (copy of the online payment). Please refund \$626.00 in the event the court finds me not guilty.

On the morning of January 20th, 2009, I was driving my car, 2005 Toyota Camry LE, to work on the southbound of Cherry Ave. Around 7:03 AM, I pulled into the gas station, ExxonMobil, to fill up my car which located at the southeast corner of N Cherry Ave and East Del Amo Blvd (IMAGE 6 and IMAGE 9). After filled up my car around 7:08 AM (IMAGE 10A and IMAGE 10B), I drove back on to the North Cherry Ave which intersects with East San Antonio Dr (IMAGE 5 and IMAGE 2) and was waiting to make a U-turn back on to the S Cherry Ave to continue back on route to work. At that time, both North and South Cherry Ave were still at the green light and there was quite a lot of traffic on the southbound of Cherry Ave.

After I waited until the traffic on the S Cherry Ave was cleared, I safely initiated a U-turn (IMAGE 2 and 9). Once I started making a U-turn, I saw a school bus turning from E Del Amo Blvd into S Cherry Ave (IMAGE 1); this is a normal school bus route. Normally, the school bus comes to pickup students at this location around 7:10 AM – 7:15 AM (IMAGE 3). Since I was in the middle of the U-turn, I continued to complete the U-turn. By the time I completed the U-turn and facing S Cherry Ave on the lane #2 (middle lane), I saw that the school bus had already pulled up to the right side of my car. Since my car was just finishing a U-turn, the speed was less than 10 mph at that time. Therefore, I started to accelerate while the school bus was pulling to curve at the Bus Stop where the students were waiting to get into the bus.

While I looked toward the front of my car, I saw that the last cars on all three lanes of the earlier traffic had just passed by the parked officer car which located on the right hand side of the street approximately 1000 feet away from the school bus (IMAGE 7 and 8). While continued accelerating my car, I glanced at rear view mirror and saw a motorcycle following the back of my car about 10 feet away. Next, I continued my glance motion to the right side of my car toward the school bus. By that time, my car was already half way in front of the school bus; I saw the front of the school bus and students started to walk toward the bus. Before I moved my head back to the front, I saw a STOP SIGN on the back side of the school bus through my passenger side view mirror was slowly starting to unfold. By that time, my car was completely in the front of the school bus. At that time, I continued to drive on the S Cherry Ave before safely making a lane change to the lane #1 (outside lane). Until I passed the officer's car on the right, I saw the officer's car was slowly pulling out from the curve. Then, I looked at my rear view mirror and saw that the officer's car pulled up behind the motorcycle which was still on the lane #2. At that time, the officer made another lane change to the back

of my car, turns on the lights and pulled me over. So, I pulled over and stopped in front of the park (IMAGE 8).

The officer informed me about the violation and the reason he pulled me over. Then, I explained to him the situation as described above. After the ticket was given by the officer (IMAGE 14A and 14B), he continued to talk and ask me a few questions which I continued to explain to him the situation as described above. However, the officer did not acknowledge that he had seen my car making the U-turn. In addition, the officer described to me that he saw the school bus making a right turn from San Antonio Dr to S Cherry Ave in conflict of what I described to him. Therefore, I strongly believe that this could have been that the officer may not have a clear line-of-sight from his location relative to my car location when the school bus was stopped (IMAGE 4 and 7). Furthermore, since I was driving safely and cautiously, the location, speed, and direction of my car were not posted any immediate danger in relation of where the school bus stopped.

In addition, in the officer report Log, he indicated that my car was in lane #1 (IMAGE 13C). Since I was making a U-turn, it was not possible to be in the #1 lane at that time due to the limitation of the car turn radius.

In addition, the Informal Discovery Request was sent on February 12, 2009 (IMAGE 11A, 11B, 11C, and 11E) and March 6, 2009 (IMAGE 12A, 12B, 12C, 12D, and 12E) and my right has already been violated pursuant to California Penal Code Section 1054.5(b) and California Penal Code Section 19.7. The first Informal Discovery Request was sent on February 12, 2009 did not get any response back from the Long Beach Police Department. However, the Long Beach Courthouse responded with a letter indicating that the ticket was not in the system (IMAGE 11D). One week later, I received a Courtesy Notice and decided to send Informal Discovery Request with a copy of Courtesy Notice the second time (IMAGE 12D). The second Informal Discovery Request was sent on March 6, 2009 and got the respond back with incomplete information; I only received a copy my original IDR, front copy of the Notice to Appear (IMAGE 13A), a copy of intersection drawing with two words written down (IMAGE 13B), and a copy of the Officer Log (IMAGE 13C and 13D). However, the Long Beach Courthouse did not respond back to Informal Discovery Request at all.

While I could understand the reason the officer pulled me over, I believe this is a very unfortunate situation, and it does not reflect my driving behavior. Thank you for your understanding and I wish you could find me not guilty.

If the court finds me guilty, I request a Trial de Novo, and an option to attend traffic school level one and have the fine reduced.

In addition, please send me the "Decision and Notice of Decision" (TR-215) by mail.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

M Copper, Defendant in Pro Per