

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 22350.

As required, I enclose a check for \$390.00 of bail payment. Please refund \$390.00 in the event the court finds me not guilty.

On XXX morning, about N:NNam, XXX NNth, a clear dry day with sight morning overcast, I drove a minivan I borrowed from my friend eastbound on the westbound of Roadlton Ave. My destination was XXX YYYYY Office at NNN W Roadlton Ave, where my husband and I had an appointment at N1:00am with Dr. XXX YYYY. A copy of the appointment notice with time of appointment indicated is attached as Exhibit 1.

There was very little traffic and no pedestrians on the street. The road is a six-lane divided with three lanes and a bike lane in each direction. The road is straight in both directions so I could see ahead at least half mile.

I was driving in the right lane and preparing to slow down and make a right turn on ZZZ Drive to enter the parking lot at NNN W Roadlton Ave - my destination which is approximately 450 feet past the intersection with YYY drive. Once I crossed the YYY drive – a police officer on foot suddenly appeared from the shady area around the business sign, stepped into the bike lane and pulled me over. Please see Exhibit 2: road view and diagram; the business sign is marked.

I was less than 400 feet away from my destination and had about 15 minutes till my appointment – there was absolutely no reason for me to speed (please see the diagram - Exhibit 2). Even after the stop I made the appointment ahead of time. Please see the time N:NNam indicated on my citation – Exhibit 3. My husband was in the front seat and he does not recall me driving above the posted speed limit – please see Exhibit 4.

After stopping I discovered that there were two more officers near the business sign. The officer that pulled me over did not have any devices that looked like lidar, although this is what is indicated on my citation. Please see Exhibit 3.

The officer appeared to be in a hurry - he requested only my driver license, but did not request the car registration and insurance. As a result, on the citation I am wrongly indicated as the owner of the car (please see Exhibit 3), while the car belongs to my friend. The registration address is also wrongly indicated same as mine, while the car is registered at my friend's address. Please see Exhibit 5 – copy of the car registration.

Since the arresting officer did not hold the lidar, the information had been somehow communicated by one or both of the other two officers if one of them had the lidar. There are quite a few objects that may have obstructed the view of the road from their position – the trees and the light polls (please see Exhibit 6). I am sure that the notes and other relevant evidence from all the three officers present at the scene will reveal some kind of miscommunication which car had to

be pulled over. There was a car behind me driving at a much higher speed. I was concerned it was about to rear end my car, but then it swerved into the central lane and passed me about the time I was approaching YYY Drive.

I was driving safely and cautiously giving myself plenty of time to reach my destination. I believe that 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.

Enclosed 6 Exhibits.

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

**Exhibit 1**

Photocopy of appointment notice

**Exhibit 2**

Road view and diagram

**Exhibit 3**

Photocopy of citation

**Exhibit 4**

At the moment of the alleged infraction I was in the car, in the right front seat. I am positive that the car was moving at the posted speed limit.

Address of witness:

Nnnn XXX Ave, ZZZZZ, CA NNNNN

Phone: nnn-nnn-nnnn

Date and signature: \_\_\_\_\_ Nnnn NN, 20nn  
Xxxxxx Yyyyyy

**Exhibit 5**

Photocopy of car registration

**Exhibit 6**

Road view from the officer's position