

HONORABLE RONALD B. LEIGHTON

UNITED STATES
WESTERN DISTRICT OF

CHRISTIAN DOSCHER,

Plaintiff,

v.

in her individual capacity; and
COUNTY,

Defendants.

No.:

DECLARATION OF IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT

Note for Docket: April 19, 2013

I, am over the age of eighteen years, am competent to testify herein and have personal knowledge of the following:

1. I am the elected Clerk of County and ex officio Clerk of County Superior Court.

2. I have never been served the summons or complaint in this matter. I am aware of Mr. Doscher's claims because he also sued me regarding the same issue in a County Superior Court case.

3. My staff and I have searched the County Superior Court records in Mr. Doscher's criminal case 88-1-00706-7, for the document with the added notations "microfilmed 1995" and "Corrected copy, felony non-deferred, Date of conviction: 1995" that Mr. Doscher complains of, and did not find the document in files maintained by my office. Nowhere in the court

1 file maintained by my office is there a copy of the document with the notations "microfilmed 1995"
2 and "Corrected copy, felony non-deferred, Date of conviction: 1995."

3 4. A copy of the Order of Probation, the court order that was filed in Mr. Doscher's
4 criminal case, 88-1-00706-7, is attached hereto as Exhibit A. The order consists of two pages, and the
5 signature of Judge Doran appears on page two. The order does not contain any stamp or notations
6 from the State Patrol, and does not have the additional notations that Mr. Doscher is
7 suing about in this case.

8 5. The one-page document that Mr. Doscher has referred to as a "false felony" obtained
9 from the State Patrol files is also filed in Mr. Doscher's criminal case, No.
10 88-1-00706-7, because Mr. Doscher presented the document in court as an exhibit in support of his
11 motion seeking to seal his criminal case file. The document was filed in the superior court records for
12 case No. 88-1-00706-7 as an attachment to docket notes for a hearing held September 25, 2009, and
13 is attached hereto as Exhibit B. The document does not include the notations "microfilmed 1995"
14 and "Corrected copy, felony non-deferred, Date of conviction: 1995" that Mr. Doscher is suing about
15 in this matter.

16 6. Mr. Doscher's allegation that someone in my office made the notations "microfilmed
17 1995" and "Corrected copy, felony non-deferred, Date of conviction: 1995" that form the basis of his
18 complaint is not plausible. I reviewed the document containing those notations that was provided by
19 Mr. Doscher to the prosecuting attorney through discovery. A diligent search was conducted and no
20 document with those notations has been found in the County Superior Court records of Mr.
21 Doscher's case maintained by my office. Furthermore, the fact that the document contains a date
22 stamp showing it was received by the State Patrol seems to indicate it was a document
23 from the State Patrol. When criminal sentencing orders are entered in Superior Court, a
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25

1 copy is sent to ' does not send court orders to Superior Court, so I think Mr. Doscher is
2 mistaken when he states that anyone else at County is responsible for the existence of the
3 document.

4 7. As the elected Clerk for County, I establish official policies, practices, and
5 procedures for the operation of my office. There is no such policy, practice, or procedure for
6 approving court orders, because the Clerk has no authority to approve court orders.

7 8. I did not create, file, alter or approve the document with the notations "microfilmed
8 1995" and "Corrected copy, felony non-deferred, Date of conviction: 1995" as stated in Mr.
9 Doscher's complaint. The only copy of the document that I am aware of with these notations came
10 from Mr. Doscher, not from County records.

11
12 **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE**
13 **STATE OF AND OF THE UNITED STATES OF AMERICA THAT THE**
14 **FOREGOING IS TRUE AND CORRECT.**

15 DATED this 28th day of March, 2013 at
16
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20 I hereby certify that on date listed below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send
notification of such filing to the following:

21 **Plaintiff Pro Se**
Christian Doscher
skepticdude@hotmail.com
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