

Matthew B. Cramer  
618347 / CW-62L  
P.O. Box 5004  
Delano, CA 93216

In Pro Per:

**FILED**

OCT 24 2008

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_ DEPUTY CLERK

IN THE UNITED STATES DISTRICT  
COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

Matthew B. Cramer,  
PLAINTIFF

Vs.

TARGET CORPORATION et al.,  
DEFENDANT,

Cramer v. Target Corporation et al

CASE # 1:08CV1693OWW-SMS

UBC. 42. 1983.

BIVENS vs. Six Unknown Agents.  
403 U.S. 388 (1971) —

CRUEL AND UNUSUAL PUNISHMENT  
DELIBERATE MEDICAL-INDIFFERENCES.

Doc. 9 Att. 1

NEGLIGENT IN HIRING PRACTICES.

UNLAWFUL DETAINMENT, INFLECTION OF  
PHYSICAL, EMOTIONAL INJURY/ABUSE.

FALSE IMPERSONATION OF A PEACE  
OFFICER. ABUSE OF AUTHORITY.

SEEKS: \$150,000.00 IN DAMAGES.  
JURY TRIAL DEMAND.

MATTHEW B. CRAMER  
FULL NAME  
G18347  
COMMITTED NAME (if different)  
P.O. Box 5004  
FULL ADDRESS INCLUDING NAME OF INSTITUTION  
DELANO, CA 93216  
PRISON NUMBER (if applicable)  
G18347

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

MATTHEW B. CRAMER  
 PLAINTIFF,  
 v.  
TARGET CORP. et al.,  
TULARE Police DEPT.  
 DEFENDANT(S).

CASE NUMBER  
 \_\_\_\_\_  
*To be supplied by the Clerk*

CIVIL RIGHTS COMPLAINT  
 PURSUANT TO (Check one)  
 42 U.S.C. § 1983  
 Bivens v. Six Unknown Agents 403 U.S. 388 (1971)

A. PREVIOUS LAWSUITS

1. Have you brought any other lawsuits in a federal court while a prisoner.  Yes  No
2. If your answer to "1." is yes, how many? 1

Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on an attached piece of paper using the same outline.)

CIVIL RIGHTS, EQUAL PROTECTION

*\* PLEASE NOTE  
 ORIGINAL FILED COVER!  
 CASE TITLE*

- a. Parties to this previous lawsuit:  
 Plaintiff MATTHEW B. CRAMER  
 Defendants ARNOLD SCHWARZENEGGER et al
- b. Court EASTERN DISTRICT FRESNO CA.
- c. Docket or case number ?
- d. Name of judge to whom case was assigned \_\_\_\_\_
- e. Disposition (For example: Was the case dismissed? If so, what was the  
 appealed? Is it still pending?) Still Pending
- f. Issues raised: EQUAL PROTECTION  
DISCRIMINATION
- g. Approximate date of filing lawsuit: 9/08
- h. Approximate date of disposition Still Pending

1:05-CV-  
 355-~~DE~~  
 REC-DLB-  
 PC

**B. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

1. Is there a grievance procedure available at the institution where the events relating to your current complaint occurred?  Yes  No
2. Have you filed a grievance concerning the facts relating to your current complaint?  Yes  No  
 If your answer is no, explain why not WROTE TARGET CLAIMS + TULARE CO. POLICE DEPT. TO NO Avail.
3. Is the grievance procedure completed?  Yes  No  
 If your answer is no, explain why not TULARE P.D. HAS Failed To Respond AS Target Claims HAS NOT RESPONDED EITHER
4. Please attach copies of papers related to the grievance procedure.

**C. JURISDICTION**

This complaint alleges that the civil rights of plaintiff MATTHEW BLAIR CRAMER  
(print plaintiff's name)  
 who presently resides at P.O. BOX 5004 DELANO, CA. 93216  
(mailing address or place of confinement)  
 were violated by the actions of the defendant(s) named below, which actions were directed against plaintiff at  
TARGET CORPORATION STORE, in TULARE, CA-  
(institution/city where violation occurred)

on (date or dates) 3-3-08  
(Claim I) (Claim II) (Claim III)

NOTE: You need not name more than one defendant or allege more than one claim. If you are naming more than five (5) defendants, make a copy of this page to provide the information for additional defendants.

1. Defendant MICHAEL J. YANT. resides or works at  
(full name of first defendant)  
TARGET (STORE) CORP. @ 2195 E. PROSPERITY, TULARE, CA 93274  
(full address of first defendant)  
(ALLEGED) - OFF-DUTY POLICE OFFICER; Asset Protection Personell  
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):  individual  official capacity.

Explain how this defendant was acting under color of law:

DEPRIVED CONSTITUTIONAL RIGHTS/GUARANTEES - TEMP. HELD Under Citizens  
Arrest. Under Abuse of Authority, DELIBERATE DENIAL of Medical Attention  
(FOR 2 HOURS)

2. Defendant ERIC HELLER resides or works at  
(full name of first defendant)  
TARGET CORP. @ 2195 E. PROSPERITY TULARE, CA 93274  
(full address of first defendant)  
(ALLEGED) OFF-DUTY TULARE P.D./Asset Protection Specialist  
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):  individual  official capacity.

Explain how this defendant was acting under color of law:

DENIED URGENT MEDICAL ATTENTION, illegal TORTURE DELIBERATE  
Medical INDIFFERENCE, AND injury Resulting of Hosp. Bills

3. Defendant OFFICER G. BARRIOS #65 resides or works at  
(full name of first defendant)  
TULARE POLICE DEPT. 260 M. ST. TULARE, CA 93924  
(full address of first defendant)  
POLICE OFFICER  
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):  individual  official capacity.

Explain how this defendant was acting under color of law:

LEFT PLAINTIFF AT TARGET TO BE INTERROGATED FOR 2 HRS  
W/URGENT PHYSICAL injury. 2 HRS. later, BARRIOS TRANSPORTED  
PLAINTIFF TO HOSPITAL W/A SHATTERED collarbone + injury.

4. Defendant JOHN/JANE DOE et al. resides or works at  
(full name of first defendant)  
TARGET CORP 2195 E. Prosperity Tulare CA. 93274  
(full address of first defendant)  
MANAGER OF STORE  
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):  individual  official capacity.

Explain how this defendant was acting under color of law:

THEY SUPERVISE PARTIES (DEFENDANTS) AND DENIED  
MEDICAL ATTENTION

5. Defendant \_\_\_\_\_ resides or works at  
(full name of first defendant)  
 \_\_\_\_\_  
(full address of first defendant)  
 \_\_\_\_\_  
(defendant's position and title, if any)

The defendant is sued in his/her (Check one or both):  individual  official capacity.

Explain how this defendant was acting under color of law:

\_\_\_\_\_  
 \_\_\_\_\_

**X. CLAIMS\***

**CLAIM I**

The following civil right has been violated:

**\* CRUEL AND UNUSUAL PUNISHMENT.**

DELIBERATE MEDICAL INDIFFERANCES.

UNLAWFUL ARREST AND DETAINMENT RESULTING IN PERSONAL/PHYSICAL INJURY WITH DELIBERATE FORCE. DENYING IMMEDIATE MEDICAL ATTENTION, DENIAL OF DUE PROCESS OF FALSE CONFESSION (SLANDER) AND TORTURE FOR 2 HOUR INTERROGATION. DEFENDANT 1 + 2 INSISTED THEY WERE "OFF-DUTY" POLICE OFFICERS, TELLING DEF. 3 A REAL POLICE OFFICER TO RETURN IN 2 HOURS FOR BOOKING. DEF. 3 (OFFICER BARRIOS) TOOK PLAINTIFF TO THE HOSPITAL WHERE HE WAS TREATED WITH SEVERE INJURIES.

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

DEF. 3 (OFFICER BARRIOS) WAS DISPATCHED TO A TARGET STORE OF A REPORTED SHOPLIFTING IN PROGRESS. PLAINTIFF DOES NOT DISPUTE HE PLED NO CONTEST TO THIS THEFT. DEF. 3 WAS PRESENT AT THE SCENE ON 3/3/08 AT 7: P.M. DEF. 3 WHO IS A SWORN UNIFORM PATROLMAN WITNESSED DEF. 1 AND 2 (YANTS/HELLER) TAKING PLAINTIFF IN-CUSTODY - APPROXIMATELY 5-10 MINUTES LATER WHILE PLAINTIFF WAS IN CUSTODY HE WAS BEATEN UP SOME MORE AND WAS COMPLAINING OF HIS LEFT SHOULDER INJURY. DEF. 3 APPEARED AND PLAINTIFF TOLD THE OFFICER HE NEEDED TO GO TO THE HOSPITAL TO NO AVAIL.

*\*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.*

- CONTINUATION

CLAIMS\*

CLAIM I

The following civil right has been violated:

DEF. 1 AND 2 TOLD DEF. 3 (OFFICER BARRIOS) THAT THEY WOULD INTERROGATE THIS PLAINTIFF. PLAINTIFF TOLD (DEF. 3) THAT HE HAD NOTHING TO SAY AND INVOKED HIS 5<sup>TH</sup> AMENDMENT RIGHTS. DEF. 3 LEFT THE SCENE OF TARGET.

AFTER DEF. 3 LEFT, DEFENDANT YANTS READ PLAINTIFF HIS RIGHTS, PLAINTIFF WAS CONFUSED CAUSE HE TOLD DEF. 1 THAT, WHY WAS TARGET SECURITY READING ME MY RIGHT TO REMAIN SILENT? (MIRANDA). DEF. 1 AND 2 THEN CLAIMED THEY WERE OFF-DUTY TULARE POLICE OFFICERS WHO ALSO WORKED FOR TARGET'S ASSET PROTECTION

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

PERSONNEL, (APP). AND BEGAN TO INVESTIGATE AND INTERVIEW. PLAINTIFF WAS QUESTIONED FOR 2 HOURS, BY DEF. 1 (YANTS) AND DEF. 2 (HELLER) WITH VISIBLE INJURIES. PLAINTIFF ALSO PASSED OUT 4 TIMES AND WAS WOKE UP W/ ICE WATER. PLAINTIFF WAS DENIED ANY/ALL REQUESTS FOR MEDICAL ATTENTION W/ EXCEPTION OF A BAND AID FOR A CUT HAND, PLAINTIFF WAS QUESTIONED ABOUT STAFF THEFTS AND CONSPIRACIES.

PLAINTIFF TOLD STAFF (DEF. 1 AND 2) THAT HE DEMANDED MEDICAL ATTENTION AND TO TAKE HIS TO BOOKING IF HE COULDN'T GO TO THE

\*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.

- CONTINUATION -

## D. CLAIMS\*

## CLAIM I

The following civil right has been violated:

LOCAL HOSPITAL, AT NO TIME WHATSOEVER DID TARGET OBTAIN MEDICAL ATTENTION, AT APPROXIMATELY 2 HOURS LATER. DEF 3 (OFFICER BARRIOS) APPEARED AT TARGET WHERE OFFICERS YANTS AND HELLER RELEASED PLAINTIFF TO DEF. 3'S CUSTODY. HOWEVER, PLAINTIFF WAS STILL NOT TAKEN TO THE HOSPITAL, WHILE DEF. 3 TALKED TO DEF. 1 AND DEF. 2. (PLAINTIFF REQUESTED VIDEO OF ASSAULT TO NO AVAIL) PLAINTIFF REFUSED TO TALK TO OFFICERS (DEF. 3) DEF. 1 AND 2 IN POLICE REPORT ADMITS PLAINTIFF WAS FORCED TO THE GROUND. PLAINTIFF WAS PHYSICALLY BEAT UP, AND HANDCUFFED BEHIND HIS BACK W/A BROKEN COLLARBONE.

\* SEE ATTACHED POLICE REPORT \*

Supporting Facts: Include all facts you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be certain you describe, in separately numbered paragraphs, exactly what each DEFENDANT (by name) did to violate your right.

PLAINTIFF NOTES DEF. 1 AND 2, STATED: "PLAINTIFF ADMITS HE STOLE MERCHANDISE FOR Methamphetamine" WHICH IS PURE FABRICATION AND Slander. NOR DID PLAINTIFF GIVE ANY STATEMENT NOR ADMISSION. INFECT, ONCE OFFICER BARRIOS (DEF. 3) TOOK PLAINTIFF AT 9:18 P.M (2 HOURS LATER / SEE TARGET REPORT) TO THE HOSPITAL, I AGAIN INVOKED MY RIGHT TO REMAIN SILENT. CONTRADICTING ME GIVEN A STATEMENT TO SECURITY? MUCH LESS, A OFF-DUTY POLICE OFFICER (DEF. 1 + 2) ?

WHILE AT THE HOSPITAL PLAINTIFF ASKED THE OFFICER (DEF. 3) WHY DIDN'T THE OFFICERS

\*If there is more than one claim, describe the additional claim(s) on another attached piece of paper using the same outline.



- CONTINUATION -

~~E. REQUEST FOR RELIEF~~

I believe that I am entitled to the following specific relief:

(OFF-DUTY OFFICERS) BOOK ME OR TRANSPORT TO JAIL? IT WAS THEN OFFICER BARRIOS (DEF 3) TOLD ME, "MATTHEW THOSE GUYS ARE NOT OFF-DUTY POLICE OFFICERS, THERE SIMPLY SECURITY OFFICERS."

FACT: PLAINTIFF WAS SEVERELY INJURED AT THE HANDS AT TARGET PERSONNEL WHO CLAIMED THEY WERE OFF DUTY POLICE OFFICERS BY DEF. (YANTS) AND (HELLER) DEF. 2.

FACT: DEF 3 (TULARE POLICE) POLICE OFFICER BARRIOS AT 7: P.M WITNESSED THE ASSAULT (SEE TARGET RPT. PAGE # 14 ) ALSO TARGET'S REPORT PAGE 1 ATTACHED HEREIN. - STATES AND CONTRADICTS INJURED PG.10/13 AND NOT INJURED PAGE 13, IT FURTHER STATES DRUGS WERE INVOLVED, NO WHERE EVER IN THE POLICE REPORT OR HOSPITAL DOES IT CLAIM DRUGS WERE INVOLVED. AGAIN SLANDER... (EXHIBIT PAGE 1-H)

FACT: AT 7: P.M I WAS OFFICIALLY DETAINED AT 7: P.M. (2 HOURS IN THEIR CUSTODY - AND LEFT VIA (IN-CONCERT WITH TOTAL DISREGARD BY A ALLEGED FELLOW TULARE POLICE OFFICER AND DENIED ANY RE COURSE AND MEDICAL AND RIGHTS! SUCH AS DEF. (IN-CONCERT) 1, 2 + 3.

\_\_\_\_\_  
(Date)

(NOTE ATTACHED EXHIBIT PAGES 1-14)  
(Signature of Plaintiff)

- CONTINUATION

~~E. REQUEST FOR RELIEF~~

I believe that I am entitled to the following specific relief:

FURTHERMORE, TARGET (ALLEGED OFF-DUTY POLICE OFFICERS) SECURITY, SHOULD HAD NOT DENIED ME MEDICAL FOR 2 HOURS OF TORTURE AND CRUEL INTERROGATIONS AT WHICH ONCE HANDCUFFED FOR A TOTAL OF 2 + HOURS W/A SHATTERED CLAVICLE AND THE BELIEF OF OFFICER'S (ALL INVOLVED DEF 1-2 + 3) THIS AT BEST; CLEARLY SHOWS THAT A USC. 42 1983 IS JURISDICTIONAL. BEINGS THAT TULARE POLICE DEPARTMENT OFFICER BARRIOS WAS FULLY RESPONSIBLE ONCE HE WITNESSED MY APPREHENSION AND LEAVING ME WITH ALLEGED OFF-DUTY POLICE OFFICERS WHO WERE NOT, BUT ONLY SECURITY. FALSELY ACCUSING AND TORTURING THIS PLAINTIFF. WHEN INFACT, TARGET PERSONNEL HAD NO BUSINESS TO INTERROGATE FOR 2 HRS. LET ALONE THE OFFICER (DEF. 3) (BARRIOS) NOT TAKING ME INTO PHYSICAL CUSTODY AT TIME OF DETAINMENT, THIS ALSO VIOLATES PLAINTIFF'S RIGHTS OF DUE PROCESS, 8<sup>TH</sup> AMENDMENT, NEGLECT IN HIRING, SELF INCRIMINATION, DELIBERATE MEDICAL INDIFFERANCES, CRUEL AND UNUSUAL PUNISHMENT - 6<sup>TH</sup> AMENDMENT + 14<sup>TH</sup> AMENDMENT AND FAILURE TO INVOKE HIS 5<sup>TH</sup> AMENDMENT PRIVILEGES, AND VIOLATES DUE PROCESS.

~~(Date)~~~~(Signature of Plaintiff)~~

E. REQUEST FOR RELIEF

I believe that I am entitled to the following specific relief:

PLAINTIFF, DUE TO TARGET PERSONNEL INFLECTED SERIOUS HARM CAUSING NOT ONLY EMOTIONAL ABUSE BUT A DEFFINATE PERSONAL INJURY WITH OUTSTANDING MEDICAL BILLS. TARGET CORP SECURITY HAVE A NO CHASE POLICY, AND SHOULD ADHERE TO A NO-ASSAULT POLICY. REGARDLESS OF WHAT PLAINTIFF READ TO (A NO-CONTEST) (DUE TO FABRICATED TARGET REPORT) DOES NOT ENDURE THIS PLAINTIFF TO BE PHYSICALLY/PERMANATELY INJURED. TULARE POLICE SHOULD HAD TAKEN PLAINTIFF INTO CUSTODY AND IMMEDIATE MEDICAL CARE AFTER ASSAULT. AT WHOLELY TARGET SECURITY LIED TO PLAINTIFF EVEN AS FAR AS, READING PLAINTIFF HIS MIRANNA RIGHTS CLAIMING TO BE OFF-DUTY TULARE POLICE DEPT. OFFICERS. NO (LESS THAN) 10 TIMES PLAINTIFF READED FOR MEDICAL TO NO AWAY. Approx. 2+ HOURS ONLY AFTER I WAS TRANSFERED CUSTODY TO OFFICER BARRIOS, GIVEN THAT PLAINTIFF RESPECTFULLY FILES SUIT FOR ALL DAMAGES/PUNITIVE/COMPENSATORY IN THE AMOUNT \$150,000 IN AND SUBJECT TO TORTURE

TARGET CORP. IS RESPONSIBLE FOR INITIAL INJURY  
TULARE P.D (in-concert) IS RESPONSIBLE FOR CONTINUED ABUSE. AS THIS USC42 1983

PLAINTIFF RESERVES THE RIGHT TO AMEND.  
PLAINTIFF HAS WRITTEN TO ALL w/NO RESPONSE....

10/21/08  
(Date)

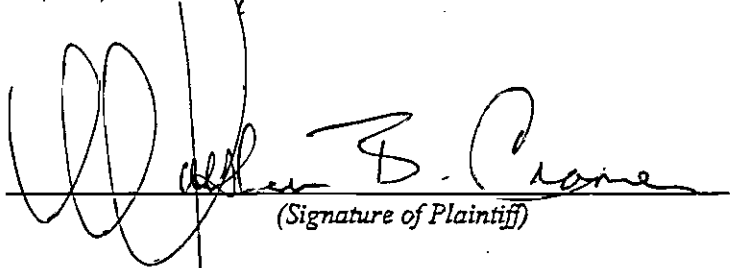
  
(Signature of Plaintiff)

EXHIBIT -

ATTACHED

Police Report!



TARGET Report.

**TULARE POLICE DEPARTMENT**

260 South "M" Street  
Tulare, CA 93924

CA0540600  
Phone (559) 684-4239  
Fax (559) 686-3457

Case Number  
TG0802022

Date  
03/04/08

Reporting  
GBARRIOS

**INVESTIGATION:**

3/3/08 1900 hrs. I and Officer Gregg Lopez were dispatched to 2195 E.

Prosperity in regards to a theft in progress. Dispatch advised that the suspects were a white male adult wearing a blue shirt and tan pants and black male adult wearing a red and white striped shirt. The suspects were later identified as Mathew Cramer and James Callum.

Upon arrival I observed lost prevention personnel taking custody of (S) Cramer.

Officer Lopez advised via radio that he was contacting the second suspect near the Fed Ex store which is north of Super Target. I responded to Officer Lopez location and contacted (S) Callum who matched the description given by dispatch. (S) Callum was sweating profusely and out of breath and appeared as if he had just stopped running. I detained (S) Callum and placed him in handcuffs pending my investigation.

I responded back to Super Target and contacted Asset Protection Personnel, Eric Heller and ascertained (S) Callum's involvement. Heller responded to my patrol unit and positively identified (S) Callum as the male subject involved in the theft. He stated that (S) Callum exited the store in possession of an MP3 player which he never paid for along with (S) Cramer. The MP3 player was recovered

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by Target's Cart Attended north of the west entry door near the vicinity of (S) Callum's direction of travel. Heller also advised me that (S) Callum and (S) Cramer were both caught on surveillance video taking the items out of their original packaging and concealing them on their person. Yant stated that they wanted both (S) Cramer and (S) Callum arrested and prosecuted for the theft.

I advised (S) Callum that he was under arrest for burglary and transported him to the Tulare Police Department for the booking process. While conducting a search of (S) Callum I located a CD- ROM for a Sony Walkman along with an instruction manual. (S) Callum advised that the CD-ROM did not belong to him and that it belonged to (S) Cramer.

→ (S) Cramer remained in custody of Target Personnel pending their investigation and interview. 2 HOURS

Once the booking was complete on (S) Callum I advised him of his rights per Miranda. (S) Callum stated that he understood his rights and would talk to me regarding the incident at Super Target.

I asked (S) Callum what his involvement was in the theft. (S) Callum stated that he wasn't involved. (S) Callum stated that he was only with (S) Cramer to buy some groceries. I asked (S) Callum how he and (S) Cramer got to the store. (S)

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Callum stated that they were transported by (S) Cramer's bother Raineer Cramer. I asked (S) Callum where R. Cramer was. (S) Callum stated that he didn't know and that he might have left.

I asked (S) Callum what his plan was when he entered the store. (S) Callum stated that his plans were to assist (S) Cramer in purchasing some groceries and leaving. I asked (S) Callum if he and (S) Cramer were in the electronics section where the MP3's are kept. (S) Callum stated that they were and the (S) Cramer was looking at some items on the shelf. (S) Callum stated that while (S) Cramer was looking at the items he was talking with his girlfriend, Cristy Jamie via telephone. I asked (S) Callum if he saw (S) Cramer taking any items from the shelf. (S) Callum stated that he saw (S) Cramer take two MP3 players from the shelf but only place one in the cart.

(S) Callum stated that he wasn't paying much attention to (S) Cramer's actions due to him being on the phone with Jamie. (S) Callum stated that Jamie was dragged from R. Cramer's vehicle earlier today in Visalia and that she was currently in the hospital. He stated that (S) Cramer and Jamie were involved in an argument earlier and that Jamie grabbed (S) Cramer as the vehicle was pulling away. I asked (S) Callum what he and (S) Cramer did after they left the electronic section. (S) Callum stated that (S) Cramer headed to the grocery section of the store as he headed to the front door.

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(S) Callum stated that he was waiting for (S) Cramer outside of the store while talking to Jaime via telephone and making sure she was okay. (S) Callum stated that a short time later (S) Cramer exited the store. (S) Callum stated that he saw the MP3 player in the cart which (S) Cramer was pushing. He stated that he grabbed the MP3 player and asked (S) Cramer what he was doing with it. (S) Callum stated that before he could get an answer from (S) Cramer two white male adults grabbed (S) Cramer at which time he ran not knowing who the male subjects were. I advised (S) Callum that the male subjects who grabbed (S) Cramer were security personnel and asked him if they identified themselves as security when they grabbed (S) Cramer. (S) Callum stated that they did not however it he was unsure.

I asked (S) Callum if he took the MP3 player with him when he ran from security personnel. (S) Callum stated that he did not and that he immediately dropped it when he started to run away. I asked (S) Callum why he ran if he had nothing to do with the theft. (S) Callum stated that he didn't know and all he was thinking was that he didn't want to be involved in any of (S) Cramer's problems.

I advised (S) Callum that he was seen by security personnel taking items from the store without paying for them. (S) Callum stated once more that he did not take anything from the store and that he was just trying not to get involved with



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(S) Cramer's problem. I asked (S) Callum if he remembered where he dropped the MP3 player when he ran from security: (S) Callum stated that he dropped it near the front entrance of the door.

No further statements were obtained from (S) Callum.

I requested dispatch to contacted Visalia Police Department and ascertain if there were any hit and run vehicle collisions reported within the last three hours in the area of Noble and Bridge involving a victim by the name of, Christy Jamie. A short time later Dispatch advised that Visalia Police Department had no reports of a hit in run. I also contacted Kaweah District Hospital and ascertained if Christy Jamie had been registered at the hospital. I was advised that she was discharged from the hospital approximately one hour ago due to complain of pain to the head.

~~@ 9:15 P.M.~~

I responded back to Super Target and Contacted Asset Protection Personnel, Michael Yant who advised me of the following.

2 hours later

Yant stated that (S) Cramer was seen in the store at approximately 2100 hrs the night prior. He stated that (S) Cramer was seen on surveillance taking an MP3 player from the electronic section without paying for it. Yant stated that (S) Cramer returned once more today at approximately 1600 hrs today in the same

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vehicle that he came in the night prior. Yant described the vehicle as a Scion box type vehicle black in color.

Yant stated that when (S) Cramer entered the store today at approximately 1600 hrs today he was recognized by security personnel at which time he was made aware of his presence at the store. Yant stated that he physically saws (S) Cramer take an MP3 player exactly like the one he took the last time and conceal it on his person. Yant stated that (S) Cramer also attempted to take a Swiss army knife however he was unable to open the package without having people notice. Yant stated that he was unable to contact (S) Cramer before he exited the store.

Yant stated that at approximately 1900 hrs today as he was gathering the information to file a report in regards to the earlier thefts involving (S) Cramer he observed (S) Cramer and (S) Callum enter the store together. Yant stated that he observed both subjects walk to the electronic section and into the MP3 isle. Yant stated that he observed (S) Cramer opening the packages with a razor blade. He stated that (S) Cramer and (S) Callum both headed to the grocery section of the store at which time both suspects concealed an MP3 player on their person. Yant stated that as Heller was standing by the entrance waiting for both suspect to exit the store. Yant stated that he followed both (S) Cramer and (S) Callum to the front door,

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TULARE POLICE DEPARTMENT

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Tulare, CA 93924

CA0540600  
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Yant stated that when (S) Cramer and (S) Callum exited the store Heller identified himself as Target Security at which time (S) Callum ran away. Yant stated that before (S) Cramer was able to run he and Heller grabbed him and forced him to the ground. Yant stated that (S) Cramer was taken into custody without further incident.

~~CRIMINAL INJURY~~

Yant stated that during his interview (S) Cramer advised him that his intentions upon entering the store were to take the items and sell or trade the items to purchase methamphetamine. Yant stated that (S) Cramer also admitted to taking the additional MP3 players on yesterday date and earlier today.

NO STATEMENT

Yant was unable to provide me with a copy of the surveillance video but advised that he would provide the surveillance video and a copy of his report as soon as they were made available.

I then transported (S) Cramer to the Tulare District Hospital for medical treatment due to him complaining of pain to his shoulder. (S) Cramer believed his shoulder to be broken or dislocated due to security personnel forcing him to the ground.

9:15 P.M.  
2 HRS.  
LATER

Upon arriving at the hospital I advised (S) Cramer of his rights per Mirānda. (S) Cramer invoked and stated that there was nothing that he could tell me to help his situation.

Print Date / Time  
3/4/2008 6:38:00 AM

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(S) Cramer was medically cleared and issued an arm sling due to a shattered Clavicle. (S) Cramer was booked and transported to the Tulare County Jail.

On 3/4/08 at approximately 0430 hrs Officer Muller contacted me via telephone after transporting a prisoner to County Jail and advised me that booking Officer Sierdsma advised him that (S) Callum's real name was James Orbit Carpenter.

I contacted Officer Sierdsma via telephone and ascertained how (S) Callum's true identity was established. Sierdsma stated that prior to booking (S) Callum he advised that his real name was James Orbit Carpenter.

It is noted that while in custody I asked (S) Carpenter several times what his real name was due to (S) Cramer calling him BO. Carpenter was persistent in that his name was James Callum.

I stored that original booking, finger print card, and property list signed by (S) Carpenter as James Callum and stored them into evidence.

**RECOMMENDATION:**

**TULARE POLICE DEPARTMENT**

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Tulare, CA 93924

CA0540600

Phone (559) 684-4239  
Fax (559) 686-3457

Forward to Investigation for follow up. I also request that a copy of this report be forwarded to the District Attorneys Office for review and filing of the appropriate charges.

**CASE STATUS:**

Open

**NFI**

Officer G, Barrios #65

Approved by : CANABA Date : 03/04/2008 06:09 AM

CASE# 08-2022

General

Incident Type: External Incident Date: 3/4/2008  
Primary: Merchandise Theft Observed: 07:00 PM  
Additional: Detained: 07:15 PM  
Additional: In Office: 07:18 PM  
Place First Observed: ELECTRONICS AREA Out of Office: 09:15 PM  
Place Of Occurrence: Selling / Sales Floor Company: Target  
Status: Submitted Store/DC: 02349  
Address: 2195 E PROSPERITY AVE  
TULARE CA 932740000

2 HRS. W/O MEDICAL  
2 HRS. TORTURED/INTERROGATED  
T.P.D, ON SCENE DENIED TO BE TAKEN TO HOSPITAL, UNTILL T.P.D TX TO HOSP.

Subject

Name: MATHEW BLAIR CRAMER  
Address: 439 SOUTH RIDGE  
VISALIA CA 93277-  
Country: U.S.A.

Date of Birth: 7/20/1967  
Age: 40  
Phone:

Citizenship: U.S.A. Height: 5-6  
Primary Language: English Weight: 110  
Gender: Male Build: Small

Race: White  
Hair: Brown  
Eyes: Blue

AP Bulletin No.:  
Social Security No.: 554574830 Photographed: Y  
D/L or ID No.: D/L or ID State:

Injured: Y  
Medical Attention: N  
DENIED

Distinguishing Features: BALDING HEAD, PRESCRIPTION GLASSES

TGT Team Mbr.: Wrk/Ctr.: Hire Date.:  
Team Mbr No.: Employee Class: Suspended Date:  
Payroll Location: Non TGT Type: Separated Date:

Employer: School:

Address:

Telephone:

Signed Admission: Parent/Guardian Name:

Interview Start Time:

Address:

Interview Finish Time:

Telephone:

Type of Reason:

Country:

Reason for Action  
(External):

Statement Made by  
Subject (External):

Summary of Interview  
(Internal):

**Evidence Summary**

Promissory Note - Principal Sum:

Promissory Note - Initial Sum:

Promissory Note - Install Payment:

Promissory Note - Install Date Due:

	Admitted	Recovered	Proven
Merchandise	\$569.93	\$239.96	\$569.93
Cash			
Documents			
Charge			
Check			
Price Variance			
Other			
<b>Total</b>	<b>\$569.93</b>	<b>\$239.96</b>	<b>\$569.93</b>

**Merchandise Evidence**

Department: 57                      Admitted: Y                      Quantity: 1  
 Class: 10                              Recovered: Y                      Unit Price: \$59.99  
 Item: 1516                              Proven: Y                          Subtotal: \$59.99  
 UPC:                                      Damaged: Y                      Company: Target  
 SKU:                                      Photo: N                          Location: 02349  
 Bar Code: 749720006953              CCTV:                          Emp. Discount No.

Disposition: Held as Evidence

Description: MEMOREX 8565 1G MP3 PLAYER

Department: 57                      Admitted: Y                      Quantity: 1  
 Class: 10                              Recovered: N                      Unit Price: \$109.99  
 Item: 1424                              Proven: Y                          Subtotal: \$109.99  
 UPC:                                      Damaged: Y                      Company: Target  
 SKU:                                      Photo: Y                          Location: 02349  
 Bar Code: 749720008957              CCTV:                          Emp. Discount No.

Disposition: Chrghts/Damgd/Out of Stk

Description: MEMOREX 8640 4G MP3 PLAYER

Department: 57                      Admitted: Y                      Quantity: 1  
 Class: 10                              Recovered: Y                      Unit Price: \$99.99  
 Item: 1067                              Proven: Y                          Subtotal: \$99.99  
 UPC:                                      Damaged: Y                      Company: Target  
 SKU:                                      Photo: Y                          Location: 02349  
 Bar Code: 851244002295              CCTV:                          Emp. Discount No.

Disposition: Held as Evidence

Description: DISNEY HANNAH MIX MAX PLAYER

Department: 91	Admitted: Y	Quantity: 1
Class: 9	Recovered: Y	Unit Price: \$19.99
Item: 92	Proven: Y	Subtotal: \$19.99
UPC:	Damaged: Y	Company: Target
SKU:	Photo: Y	Location: 02349
Bar Code: 046928561322	CCTV:	Emp. Discount No.

Disposition: Held as Evidence

Description: SWISS ARMY SPORTSMAN KNIFE

Department: 57	Admitted: Y	Quantity: 1
Class: 10	Recovered: N	Unit Price: \$109.99
Item: 1424	Proven: Y	Subtotal: \$109.99
UPC:	Damaged: Y	Company: Target
SKU:	Photo: Y	Location: 02349
Bar Code: 749720008957	CCTV:	Emp. Discount No.

Disposition: Chrgbks/Damgd/Out of Stk

Description: MEMOREX 8640 4G MP3 PLAYER

Department: 57	Admitted: Y	Quantity: 1
Class: 10	Recovered: N	Unit Price: \$109.99
Item: 1424	Proven: Y	Subtotal: \$109.99
UPC: -	Damaged: Y	Company: Target
SKU:	Photo: Y	Location: 02349
Bar Code: 749720008957	CCTV:	Emp. Discount No.

Disposition: Chrgbks/Damgd/Out of Stk

Description: MEMOREX 8640 4G MP3 PLAYER

Department: 57	Admitted: Y	Quantity: 1
Class: 10	Recovered: Y	Unit Price: \$59.99
Item: 1516	Proven: Y	Subtotal: \$59.99
UPC:	Damaged: Y	Company: Target
SKU:	Photo: Y	Location: 02349
Bar Code: 749720006953	CCTV:	Emp. Discount No.

Disposition: Held as Evidence

Description: MEMOREX 8565 1G MP3 PLAYER

Other People Involved - Accomplice

Name: JAMES ORBIT CARPENTER

Address:

Date of Birth: 5/27/1971

Age: 36

Country:

Telephone:

Recap

Incident Information :

Case Disposition: Referred for Prosecution

Weapons Involved: No

Handcuffs Used: Yes

Drugs Involved: Y

Device Used: Y

Truck Seal No.:

Truck Transfer No.:

Carrier No.:

Consolidator/Vendor No.:

Date Loss First Occurred: 3/3/2008

Initiated By :

Position: Store AP

Method: Live Digital Surveillance

Handwritten: NO SLANDER



Case Building Methods:

Primary: Digital Recording  
Optional: Physical Surveillance  
Optional: Law Enforcement

Participating Investigators

Team Mbr No. [Redacted] Observed: Y  
Name: MICHEAL YANT Detained: Y  
Est. Hrs.: 2 Interviewed: Y  
Witnessed: N  
Approved: N

Injured: N  
Required Medical Attention: N } Contradiction

Law Enforcement Information

Law Enforcement Offense: BURGLARY  
Current Warrant Issued by:

Law Enforcement Times :

Law Enforcement Notified: 07:05 PM  
Law Enforcement Custody: 09:15 PM

Incident Information :

Observed: 07:00 PM  
Detained: 07:15 PM  
Subject in AP Office: 07:10 PM  
Subject Out of AP Office: 09:15 PM

DISPATCHED

TO HOSP. VIA TPD.

Prosecuting Attorney:  
Probation Officer:

Phone:  
Phone:

Law Enforcement Agency

Organization: TULARE POLICE DEPARTMENT  
L.E. Case Number: 08-2022  
L.E. Bulletin Number:

Agent/Officer Name: BARRIOS  
Badge Number: 65  
Phone: (559)684-4290x

Vehicles

Registered Owner's Name: [Redacted] Driver's Name: Lic. Plate No. [Redacted]  
State: CA Model: SCION Make: TOYOTA  
Color: BLACK Year: 2003 VIN:  
Additional Description:

Narrative

S234981 3/4/2008 9:26:33 PM

Asset Protection Specialist Micheal J. Yant At Approximately 7:00pm On 3/3/2008 Observed Two Unknown Male Subjects In the electronics personal audio Isle Removing MP3 Players from the Locking peg hooks.

Initial Observation: The first observation of the subject later known as Mathew Cramer took place on 3/2/2008 at approximately 9:00pm. the subject was observed at this time removing (2) Memorex 4Gig MP3 Players valued at \$109.99 From a locking peg hook utilizing raznr blade via digital recording By APS Yant . total loss on 3/2/2008 was \$219.98, The subject returned at 3:46pm on 3/3/2008 at which time APS Yant observed the subject enter the store and return to the personal audio Area and under physical surveillance the subject again removed (1) Memorex 4Gig MP3 Player valued at \$109.99 and (1) Disucy Mix Video MP3 Player Hanna Montana Version Valued At \$99.99 and (1) Swiss Army Sportsman Knife Valued At \$19.99 The Disney MP3 And the Swiss Army knife where recovered equaling to a recovery value of \$179.97, The Subject Then Returned At Approximately 7:00pm on 3/3/2008, APS Yant Observed the subject With An Unknown Male In the personal audio Isle, The Unknown Male Was observed pointing to selections while the subject Mathew Cramer removed the items with a razor blade.

Selection: APS Yant observed the subject and the unknown male discussing which items to remove from locking peg hooks At approximately 7:02pm

Continous Physical Surveillance: APS Yant observed while maintaining constant physical surveillance both snbject enter into the grocery isle with the merchandise and remove the Security tags from the Merchandise packaging.

Concealment: APS Yant observed each subject take one selection each and conceal the merchandise under there clothing.

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Failure To Pay: At Approximately 7:12pm the subjects proceed past the front registers and exited the store from the Starbucks exit.

Apprehension: As the subject exited the store APS Yant approached the subjects and identified himself as Target Security. The unknown male immediately ran out to the parking area. The subject then tried to run when APS Yant attempted to restrain the subject he began to resist and was subsequently handcuffed to prevent personal harm. Tulare Police Department was on scene to assist in the apprehension of both subjects, and were referred for prosecution. total loss \$509.94

Contradicted, in Report it states  
Heller arrested PLAINTIFF. VIA YANT/Heller

Clearly ASCERTAINS THAT BOTH PARTY(ies)  
ATTACKED PLAINTIFF CAUSING physical  
Injury.

PLAINTIFF NEEDS FIRM