



JPP 2/27/03 15:10  
3:03-CV-00400 RUBIO V. GUIRBINO  
\*1\*  
\*PWRITHC.\*

TEODOCIO RUBIO SR.

NAME  
K:06143

PRISON NUMBER

CSP-CEN P.O BOX 931

CURRENT ADDRESS OR PLACE OF CONFINEMENT

IMPERIAL CA, 92251

CITY, STATE, ZIP CODE

2254 ☒ 1983

FILING FEE PAID

Yes No ☒

IFP MOTION FILED

Yes ☒ No

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Court ProSe

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03 FEB 27 AM 9:40

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

*[Signature]*  
DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

TEODOCIO RUBIO SR.

(FULL NAME OF PETITIONER)

PETITIONER

v.

G.J. GUTRINO. WARDEN

(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED  
PERSON HAVING CUSTODY OF PETITIONER (E.G., DIRECTOR OF THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS))

RESPONDENT

and

The Attorney General of the State of  
California, Additional Respondent.

Civil No.

'03 CV 0400 W RBB

(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2254  
BY A PERSON IN STATE CUSTODY

1. Name and location of the court that entered the judgment of conviction under attack: SUPERIOR COURT, 250 E. MAIN ST EL CAJON, CA 92020-3941
2. Date of judgment of conviction: March 4, 1996
3. Trial court case number of the judgment of conviction being challenged: ECR012090
4. Length of sentence: LIFE

5. Sentence start date and projected release date: UNKNOWN

6. Offense(s) for which you were convicted or pleaded guilty (all counts): PEN.CODE 664/187  
PEN.CODE 198, 12022.5a, 245, 246.

7. What was your plea? (CHECK ONE)

- (a) Not guilty ☒  
(b) Guilty ☐  
(c) Nolo contendere ☐

8. If you pleaded not guilty, what kind of trial did you have? (CHECK ONE)

- (a) Jury ☒  
(b) Judge only ☐

9. Did you testify at the trial?

☐ Yes ☒ No

#### **DIRECT APPEAL**

10. Did you appeal from the judgment of conviction in the California Court of Appeal?

☒ Yes ☐ No

11. If you appealed in the California Court of Appeal, answer the following:

- (a) Result: DENIED  
(b) Date of result, case number and citation, if known: UNKNOWN

(c) Grounds raised on direct appeal: THE EVIDENCE WAS INSUFFICIENT TO SUPPORT THE FINDING THAT APPELLANT HAD THE SPECIFIC INTENT TO KILL 1. THE EVIDENCE WAS INSUFFICIENT TO SUPPORT THE FINDING THAT THE ATTEMPTING MURDER WAS DELIBERATE AND PREMEDITATED. 2. THE TRIAL COURT COMMITTED REVERSIBLE ERROR WHEN IT FAILED TO INSTRUCT THE JURY ON THE LESSER INCLUDED OFFENSE

12. If you sought further direct review of the decision on appeal by the California Supreme Court (e.g., a Petition for Review), please answer the following:

- (a) Result: DENIED  
(b) Date of result, case number and citation, if known: JAN15, 2003  
(c) Grounds raised: -SAME AS RAISED IN COURT OF COURT APPEAL

4 APPELLANT WAS DENIED THE CONSTITUTION RIGHT TO EFFECTIVE ASSISTANCE OF COUNSEL FAILED TO REQUEST THE TRIAL COURT TO INSTRUCT THE JURY ON ASSAULT WITH A DEADLY WEAPON AS A LESSER INCLUDED/ RELATED OFFENCE TO ATTEMPTED MURDER.

5.APPELLANT WAS DEPRIVED OF HIS RIGHT TO TRIAL BY JURY GUARANTEED BY THE SIXTH AMENDMENT OF THE U.S CONSTITUTION BECAUSE THE TRIAL COURT FAILED TO MALICE AFORETHOUGHT.

6.THE TRIAL COURT MISCALCULATED THE AMOUNT OF CUSTODY CREDIT TO WHICH APPELLANT WAS ENTITLED.

13. If you filed a petition for certiorari in the United States Supreme Court, please answer the following with respect to that petition:

(a) Result: N/A

(b) Date of result, case number and citation, if known: \_\_\_\_\_

(c) Grounds raised: \_\_\_\_\_

#### COLLATERAL REVIEW IN STATE COURT

14. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Superior Court?

☒ Yes ☐ No

15. If your answer to #14 was "Yes," give the following information:

(a) California Superior Court Case Number: ECRO 12090

(b) Nature of proceeding: hebaes corpus

(c) Grounds raised: Petitioner recieved ineffective assistance, appellant counsel fail to raise on appeal, abuse of decretion by the trial court in motion for new trial were prosecution witness recanted there testimony viotated petitioner six amendment right. 2.Petitioner conviction for attempt first degree murder, assault with a firearm should be reversed, for prosecutors failed to disclose a (G.S.R)test, violated the fourteenth right.

(d) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No

(e) Result: DENIED

(f) Date of result: UNKNOWN

16. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Court of Appeal?

☐ Yes ☒ No

17. If your answer to #16 was "Yes," give the following information:

- (a) **California Court of Appeal** Case Number: \_\_\_\_\_
- (b) Nature of proceeding: \_\_\_\_\_  
\_\_\_\_\_
- (c) Grounds raised: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (d) Did you receive an evidentiary hearing on your petition, application or motion?  
☐ Yes ☐ No
- (e) Result: \_\_\_\_\_
- (f) Date of result: \_\_\_\_\_

18. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the **California Supreme Court**?  
☐ Yes ☐ No

19. If your answer to #18 was "Yes," give the following information:

- (a) **California Supreme Court** Case Number: S107470
- (b) Nature of proceeding: Habeas Corpus  
\_\_\_\_\_
- (c) Grounds raised: -SAME AS IN SUPERIOR COURT-  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (d) Did you receive an evidentiary hearing on your petition, application or motion?  
☐ Yes ☒ No
- (e) Result: DENIED
- (f) Date of result: JAN 15, 2003

20. If you did *not* file a petition, application or motion (e.g., a Petition for Review or a Petition for Writ of Habeas Corpus) with the California Supreme Court, containing the grounds raised in this federal Petition, explain briefly why you did not:

N/A

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### COLLATERAL REVIEW IN FEDERAL COURT

21. Is this your **first** federal petition for writ of habeas corpus challenging this conviction?

☒ Yes ☐ No (If "YES" SKIP TO #22)

(a) If no, in what federal court was the prior action filed? \_\_\_\_\_

(i) What was the prior case number? \_\_\_\_\_

(ii) Was the prior action (CHECK ONE):

☐ Denied on the merits?

☐ Dismissed for procedural reasons?

(iii) Date of decision: \_\_\_\_\_

(b) Were any of the issues in this current petition also raised in the prior federal petition?

☐ Yes ☐ No

(c) If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this second or successive petition?

☐ Yes ☐ No

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#### CAUTION:

- **Exhaustion of State Court Remedies:** In order to proceed in federal court you must ordinarily first exhaust your state court remedies as to each ground on which you request action by the federal court. This means that even if you have exhausted some grounds by raising them before the California Supreme Court, you must first present *all* other grounds to the California Supreme Court before raising them in your federal Petition.
  - **Single Petition:** If you fail to set forth all grounds in this Petition challenging a specific judgment, you may be barred from presenting additional grounds challenging the same judgment at a later date.
  - **Factual Specificity:** You must state facts, not conclusions, in support of your grounds. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do. A rule of thumb to follow is — state who did exactly what to violate your federal constitutional rights at what time or place.
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## GROUNDS FOR RELIEF

22. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and/or facts supporting each ground.

(a) **GROUND ONE:** THE EVIDENCE WAS INSUFFICIENT TO SUPPORT THE FINDING THAT APPELLANT HAD THE SPECIFIC INTENT TO KILL.

Supporting FACTS (state briefly without citing cases or law) Petitioner was convicted of attempted murder for firing a gun at his sister-in-law. the evidence was insufficient to support the conviction. The evidence did not show that appellant had the specific intent to kill when he fired the gun. Appellant did not hit anyone with the gun fire, Appellant never indicated he was going to shoot anyone Thus, the evidence failed to show appellant was actually trying to kill anyone. There was no specific intent to kill shown.

Did you raise **GROUND ONE** in the California Supreme Court?

☒ Yes ☐ No.



(b) **GROUND TWO:** THE EVIDENCE WAS INSUFFICIENT TO SUPPORT THE FINDING THAT THE ATTEMPTED MURDER WAS DELIBERATE AND PREMEDITATED.

Supporting FACTS (state *briefly* without citing cases or law): The evidence of premeditation and deliberation was insufficient to support the finding of the jury. No rational trier of fact could find beyond a reasonable doubt that the shooting was the result of a deliberate plan rather than a rash explosion of violence.

Did you raise **GROUND TWO** in the California Supreme Court?

☒ Yes ☐ No.

(c) **GROUND THREE:** THE TRIAL COURT COMMITTED REVERSIABLE ERROR WHEN IT FAILED TO INSTRUCT THE JURY ON THE LESSER INCLUDED OFFENSE OF ASSAULT.

Supporting FACTS (state *briefly* without citing cases or law): The trial court erred when it failed to instruct the jury sua sponte on assault and assault with a deadly weapon as a lesser included offenses to the attempted murder charge in court one. The trial courts failure to instruct the jury on these lesser included offence denied appellant the right to have the jury determine every material fact; therefore , the conviction must be reversed.

Did you raise **GROUND THREE** in the California Supreme Court?

☒ Yes ☐ No.

(d) **GROUND FOUR:** Appellant was denied the constitution right to effective assistance of counsel when counsel failed to request the trial court to instruct the jury on assault with a deadly weapon as a lesser included/related offence to attempted murder.

Supporting FACTS (state *briefly* without citing cases or law): The error committed by counsel could not have been made as part of trial tactics or strategy. No reasonably competent attorney would have committed the same error. No competent counsel would have failed to request the instructions since the issue in this case was appellants intent at the time he fired the shot. Counsels error was extremely prejudicial and deied appellant a fair trial. In the absence of the error, a more favorable result was probable. Appellant conviction should therefore be reverved.

Did you raise **GROUND FOUR** in the California Supreme Court?

☒ Yes ☐ No.

GROUND FIVE.

APPELLANT WAS DEPRIVED OF HIM RIGHT TO TRIAL BY JURY GUARANTEED BY THE SIXTH AMENDMENT OF THE U.S. CONSTITUTIONAL TO GIVE COMPETENT JURY INSTRUCTIONS ON GIVE AFORETHOUGHT AND THUS, failed to defined attempted VOLUNTARY MANSLAUGHTER.

Supporting FACIS.

Appellant was denied his right to trial by jury because the trial court failed to give proper instructions on malice. As a result, the jury was not informed on the correct definition of attempted voluntary manslaughter. The court s failure to give such instructions violated the sixth amendment of the U.S constitution.

Counsel for appellant requested that the court give CALJIC No. 8.11 to define malice.(C.T. 111) The court gave other instructions on malice aforethought, but these instructions were insufficient to overcome the harm in not giving a more detailed definition of the theory.

GROUNDSEVEN.

PETITIONER CONVICTION FOR ATTEMPTED FIRST DEGREE MURDER: ASSAULT WITH A FIREARM SHOULD BE REVERSED; FOR PROSECUTION FAILED TO DISCLOSE A (G.S.R. TEST) IN VIOLATED PETITIONER FOURTEENTH AMENDMENTS RIGHT.

Supporting FACTS

In the initial pre-trial request for discovery, petitioner requested a lower court to order the prosecution to produce evidence relating to a gun shot residue test, that was performed on petitioner hands by San Diego Sheriff. The evidence that was taken; and never provided to petitioner, is in violation of his due process rights.

23. Do you have any petition or appeal now pending in any court, either state or federal, pertaining to the judgment under attack?

☐ Yes ☒ No

24. If your answer to #23 is "Yes," give the following information:

(a) Name of Court: N/A

(b) Case Number: \_\_\_\_\_

(c) Date action filed: \_\_\_\_\_

(d) Nature of proceeding: \_\_\_\_\_

(e) Grounds raised: \_\_\_\_\_

(f) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No

25. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing: \_\_\_\_\_

(b) At arraignment and plea: \_\_\_\_\_

(c) At trial: \_\_\_\_\_

(d) At sentencing: \_\_\_\_\_

(e) On appeal: STEPHEN TEMKO 1666 Garnet Ave. San Diego, Ca 92109

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any adverse ruling in a post-conviction proceeding: \_\_\_\_\_

GROUND SIX.

PETITIONER RECEIVED INEFFECTIVE ASSISTANCE? APPELLANT COUNSEL FAIL TO RAISE ON APPEAL? ABUSE OF DECRETION BY THE TRIAL COURT IN MOTION FOR NEW TRIAL WERE PROSECUTION WITNESS RECANTED THERE TESTIMONY. VIOLATED PETITIONER SIX AMENDMENT RIGHT.

Supporting FACTS

Petitioner trial counsel, Lou Minor, submitted a motion for a new trial, pursuant to Pen. Code 1118. The court denied the motion. Petitioner contends that a denied a constitutional right to effective assistance of appellant counsel. Because, he failed to submit included the, motion for new trial, in the opening briefs, that the trial court abused its discretion.

26. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time?

☐ Yes ☒ No

27. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

☐ Yes ☒ No

(a) If so, give name and location of court that imposed sentence to be served in the future:

N/A

(b) Give date and length of the future sentence: N/A

(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

☐ Yes ☒ No

28. Date you are mailing (or handing to a correctional officer) this Petition to this court: \_\_\_\_\_

Wherefore, Petitioner prays that the Court grant Petitioner relief to which he may be entitled in this proceeding.

\_\_\_\_\_  
SIGNATURE OF ATTORNEY (IF ANY)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

Feb 23, 2003

(DATE)

Teodoro Rubio

SIGNATURE OF PETITIONER



## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

## I (a) PLAINTIFFS

TEODOCIO RUBIO, SR.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

## DEFENDANTS

G.J. GUIRBINO, WARDEN

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

TEODOCIO RUBIO, SR. K-06143  
CSP-CEN  
PO BOX 931  
IMPERIAL, CA 92251

ATTORNEYS (IF KNOWN)

'03 CV 0400 W RBB

## II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ U.S. Government Plaintiff ☒ Federal Question (U.S. Government Not a Party)  
☐ U.S. Government Defendant ☐ Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   | PT                         | DEF                        |   | PT                         | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 U.S.C. 2254

## V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DJWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input checked="" type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights			

## VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

## VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE

Docket Number

DATE

2/29/03

NOTED BY CLERK OF COURT