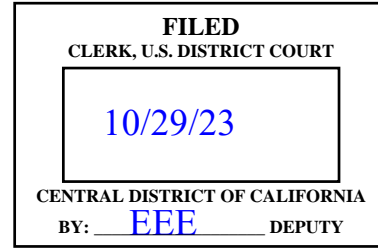


1 Claudia Sandoval and Nick Castaneda  
2 2104 E Compton Ave., Apt. 15  
3 Compton, CA 90221  
4 Clausando91@gmail.com  
(562) 209 9240



5  
6 **UNITED STATES DISTRICT COURT**  
7 **CENTRAL DISTRICT OF CALIFORNIA**

8 NICK CASTANEDA, an individual;  
9 CLAUDIA SANDOVAL, an individual;

10 Plaintiffs.

11 v.

12  
13 COUNTY OF SAN BERNARDINO;  
14 CHILDREN AND FAMILY SERVICES;  
15 SHANNAE HART, an individual;  
16 AUTUMN WALKER, an individual; /  
17 JANICA OWNBEY, an individual;  
18 WESLEY WILLIAMS, an individual;  
19 CHRISTINE SIPIN, an individual;  
20 STEPHANIE RIOS, an individual; ELLA  
21 MONGER, an individual; CINDY LOPEZ,  
22 an individual; PIERRE DOUNG, an  
23 individual; NICHOLE ROACH, an  
24 individual; LAURA LEE, an individual;  
25 MARICRUZ DOMINGUEZ, M.S, an  
26 individual; LOMA LINDA UNIVERSITY  
27 MEDICAL CENTER; a corporation;  
LOMA LINDA UNIVERSITY HEALTH  
CARE, a corporation; LOMA LINDA  
UNIVERSITY CHILDREN’S HOSPITAL,  
a corporation; LOMA LINDA  
UNIVERSITY a corporation; KOMAL  
AZIZ, M.A.; an individual, LAURA ANN

**COMPLAINT FOR DAMAGES**  
[5:23-CV-02246-UA](#)

Claim 1: 42 U.S.C. §1983  
(Judicial Deception, Unnecessary/  
Excessive Duration of Continued  
Detention)

Claim 2: Monell-Related Claims  
(Judicial Deception)

**(DEMAND FOR JURY TRIAL)**

JACOBSON, M.D; an individual,; KIM  
PERRY GRANT, an individual; YEN-  
YING WU, M.D., an individual; SAN  
BERNARDINO COUNTY SHERIFF'S  
DEPARTMENT; DETECTIVE RACHEL  
YOUNG, an individual; DEPUTY  
MALDONADO; DETECTIVE VANAYES  
QUEZADA, G3235, an individual; J.  
BURKHART, A8313, an individual;  
DOES 1 through 20, inclusive,  
Defendants

### INTRODUCCION

1. CLAUDIA and NICK have lived happily together with their children since 2018. CLAUDIA is the natural mother of A.A., E.C, A.C and E.D.C. Nick is the natural father of E.C, A.C, and E.D.C. Claudia and Nick are married and have been married for almost five years. CLAUDIA, NICK, A.A. and E.C. resided in a loving, child-centered home in Los Angeles County, where they flourished. CLAUDIA, NICK, A.A and E.C. moved to San Bernardino County in January 2021 due to getting a bigger space for their children and CLAUDIA'S parents moving with them.

2. A.A. was born on 1/07/16. His father is Jonathan Aparicio. Claudia marry Mr. Aparicio, however the marriage did not last. CLAUDIA divorce Jonathan Aparicio on 07/10/2017. CLAUDIA maintained full custody of A.A. NICK treated A.A. like his own son. He was a loving father figure to him. A.A. spent every day from 2017 with NICK until he was removed by CFS on October 17, 2021. NICK participated in his daily

1 activities and included him in daily outings and trips. They would play together, pray  
2 together, dine together, cuddle together, and for all intents and purposes, he treated him  
3 like his own son and A.A. like his father.  
4

5 3. NICK has one other child he successfully helped raise who lives in El Salvador.  
6 He has steady employment and a stable residence with CLAUDIA. NICK and  
7 CLAUDIA have no arrest record. CLAUDIA AND NICK always provided a source of  
8 stability, love and comfort for all of their children.  
9

10 4. CLAUDIA and NICK met in 2017 and were married on 12/28/2018. They lived  
11 together with A.A. as a family. NICK and CLAUDIA had their first baby girl on  
12 06/17/2020, E.C. when E.C. was one month old, CLAUDIA noticed that her daughter  
13 head was misshapen. There was a soft indentation on the top of her head. CLAUDIA  
14 immediately took E.C. to her pediatrician, TERESITA SALAZAR, M.D. as CLAUDIA,  
15 knew that the family had a history bone disease. TERESITA SALAZAR, referred E.C. to  
16 neurology specialist and to receive an MRI. Pediatrician SALAZAR apparently did the  
17 right thing by sending E.C. to experts. Even though, SALAZAR could not find an  
18 explanation, both her and the neurologist, JAVAHERY RAMIN JOSEPH, ruled out non-  
19 accidental trauma (NAT). The doctors determined that there was no need for any surgery  
20 and treatment as the deformation would heal itself.  
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25 5. In the medical reports the neurosurgeon established that he believed that “The  
26 deformities and fractures in E.C.'s skull were caused by issues related to birth.” Yes, most  
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28

1 likely the fractures and deformations in E.C.'s skull was created by passing through the  
2 Birth Canal, but what caused E.C.'s bones to be fragile at birth, to the point of being  
3 fractured and deformed in the Birth Canal?  
4

5  
6 6. One year later they were blessed with another beautiful daughter A.C. she was  
7 born on 09/25/2021. As with E.C. Her mother CLAUDIA, knowing the history of  
8 irregular bones in the family, and what occurred with E.C. one year ago, CLAUDIA was  
9 vigilant in examining her new baby, A.C.'s body to find abnormalities. With A.C. it was  
10 different, although within the first days of birth CLAUDIA found some anomalies in  
11 A.C.'s skull, she noticed a new and different symptom. A.C. had a small, what looked  
12 like a broken capillary, in her eye. CLAUDIA and NICK took little A.C. to the  
13 pediatrician on October 14, 2021. The pediatrician who treated the girl was MARCUS  
14 BARBER, M.D., in Victorville. He checked A.C.'s body, and found no signs of physical  
15 damage. He found A.C. to be within the normal limits for her age and without any  
16 apparent health problems, other than the small spot in her eye. Dr. BARBER stated that  
17 babies can rupture the capillaries in their eyes involuntarily and/or when they cough or  
18 cry, which he stated was nothing urgent. Dr. BARBER then stated that they should get  
19 further work-up at the hospital because they have more facilities, but that it was not  
20 urgent and that they could take her after Nick finished work. (as they only had one  
21 working car between the two of them). Dr. Barber's referral was to A.C. either at CHOC  
22 Hospital in Orange County or at Loma Linda University Hospital in San Bernardino  
23 County.  
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1 7. On October 15, 2021 they took A.C. to the hospital. Even NICK, after being  
2 awake for 2 days straight and being exhausted from his hard work and many hours  
3 driving, took A.C. to the LLUCH as soon as he returned. It is important to point out that  
4 from the first moment both CLAUDIA and NICK were treated as criminals. It was  
5 contempt prior to investigation. They would try to ask questions about their baby girl and  
6 the doctors and staff would completely ignore them and would leave the room leaving the  
7 very concerned NICK and Claudia with no answers or explanations. In fact, not even one  
8 of the LLUCH doctors or staff members even acknowledged them with a concerned or  
9 caring gesture. This is where the whole family's nightmare began.

10  
11  
12  
13 *The nightmare...*

14  
15 8. A parade of doctors, residents, fellows, nurses, social workers, to name a few,  
16 peppered the parents with questions about what had happened to A.C. However, they  
17 refused to answer any of their own questions. Regardless of what the parents said, they  
18 concluded, as if they had not even listened to anything they said, concluded, that same  
19 day, that A.C.'s injuries were because of N.A.T.

20  
21 9. Mother and Father kept repeating to the doctors and staff that, "A.C. comes from a  
22 family with genetic and/or congenital problems with bone formation causing significant  
23 weakness in their bones and in their bone formation. Even her older sister, E.C, presented  
24 very similar symptoms one-year prior.  
25  
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1 10. The results of A.C.'s skull imaging studies upon admission revealed that she had  
2 fractures and deformities just like her older sister E.C. And, given the ignorance of what  
3 was happening in the girl's body, the only "reasonable" hypothesis was that "these Latin  
4 parents brutally beat the girl and fractured her skull." The hypothesis of brutal blows  
5 prevailed in LLUCH, but how is it possible that a newborn received brutal blows, similar  
6 to a crash in a car at 100 miles per hour, and that A.C. was ejected outward, breaking the  
7 windshield with the head, and crashing on the pavement with the skull, and that A.C. was  
8 still alive? And even more intriguing, how is it possible to have received brutal blows like  
9 those they thought without having even a scratch, bump, bruise or abnormality on the  
10 scalp? The hypotheses of child abuse and brutal beatings were physically and medically  
11 unsustainable and impossible, common sense vanished at Loma Linda.

12  
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15  
16 11. A.C. and her family were victims of an overzealous, "child abuse specialist"  
17 fellow, Dr AZIZ. As a fellow, AZIZ was only approximately 2 months into her 3-year  
18 training, yet she would be so wed to her preconceived conclusion that she would even  
19 change or get others to change their opinions regarding the injuries if their opinions did  
20 not line up with hers. In the face of inexperience and ignorance, bad faith and the  
21 formulation of unreal conclusions, Dr. KOMAL AZIZ, who had only been a licensed  
22 pediatrician for one year and had no more than 15 weeks into her 3-year training for a  
23 child abuse specialization. To add insult to injury, AZIZ's fellowship supervisor Laura  
24 Jacobson, M.D., was still in training for her child abuse specialization. This is where  
25 error and ignorance end, and evil, hatred and discrimination begin. And, it must be said,  
26  
27  
28

1 the system of fraud and child monetization that exists in San Bernardino County came  
2 into play.

3  
4 12. The parents were taken to the San Bernardino sheriff's station near the hospital for  
5 questioning. CLAUDIA and NICK's response to these interrogations was the absolute  
6 truth, the same one that many doctors and students had heard: "Nothing illegal or violent  
7 has happened with A.C. Her older sister E.C. has similar symptoms." It should be noted  
8 that by that time NICK had already gone without proper sleep for more than 3 days.  
9 Furthermore, both CLAUDIA and NICK were focused on A.C.'s health status and not on  
10 legal matters or police investigations. DETECTIVE QUEZADA took advantage of  
11 CLAUDIA and NICK's honesty and made them victims of his ministerial tactics made  
12 for criminals, not for people who act in good faith and are accustomed to respecting  
13 authority and being transparent.  
14  
15  
16

17 13. AZIZ, did not have the experience to accurately assess the cause of A.C.'s injuries.  
18 Nor did she have the years of experience as did Dr. Salazar, the pediatrician who treated  
19 and assessed E.C.'s injuries one year earlier. The hypothesis that AZIZ communicated to  
20 QUEZADA about brutal beatings was simply ridiculous. The amount of force needed to  
21 break a bone is similar to that of crushing an aluminum can or breaking a pencil. More  
22 importantly, as the orthopedic surgeon, with 40 + years experience stated that it would  
23 take significantly less force if bone disease or some metabolic bone disorder was present.  
24 Inexperienced AZIZ testified with absolute certainty that the mechanism of injury is The  
25 hypothesis of brutal blows prevailed in LLUCH, but how is it possible that a newborn  
26  
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28

1 received brutal blows, like injuries received in a “serious car crash, with a car driving at  
2 100 miles per hour, where A.C. would have been ejected outward, breaking the  
3 windshield with the head, and crashing onto the pavement with the skull.  
4

5 14. Both police officer QUEZADA and social worker SHANNAE HART bought  
6 Azi’s extremely flawed theory hook, line and sinker. And from that point on treated the  
7 case as if the injuries, and even the past injuries to EC, were definitively as a result of  
8 NAT.  
9

10 15. AZIZ's diagnosis was not compatible with the results of the initial testing and bone  
11 scans. The inexperience of Detective QUEZADA, Detective YOUNG and Hart was  
12 evident when they did not review the medical records, results of tests or spoke to any  
13 other of the numerous doctors treating AC and EC. Instead, they did what was easiest for  
14 them, took AZIZ’s unfounded conclusion and ran with it as the unquestionable truth.  
15  
16

17 16. LLU, LLUCH, LLUHC, put students and inexperienced people in positions to  
18 make conclusions that greatly affect their patients’ lives and the lives of their families.  
19 And San Bernardino County hires, but fails to adequately train police officers and social  
20 workers to fully investigate and objectively analyze what they observe. Did QUEZADA  
21 and Hart know the protocols to determine N.A.T or when a fracture is the result of blows  
22 vs when it is caused by a congenital and/or genetic defect? These public servants, who  
23 deal with one of the most important issues in society, protecting children, not know such  
24 basic issues?  
25  
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1 17. As a result of so much ineptitude, hate and negligence by LLUCH and COUNTY,  
2 CLAUDIA and NICK lost custody of all four of their children, right there at the hospital,  
3 on October 17, 2021.  
4

5 18. HART arrived at 2:50 am with ssa Christian and deputy Maldonado while NICK  
6 was being questioned at the station. Hart told CLAUDIA, that they were there to take the  
7 kids and that she needs to leave the hospital immediately because NICK has confessed.  
8 This couldn't be further from the truth and review of the police interview confirmed that  
9 this statement was completely fabricated.  
10  
11

12 19. NICK agreed to a lie detector test but asked the detective if he could take it  
13 tomorrow, so he can go back to the hospital to check on his daughter. QUEZADA then  
14 arrested NICK. NICK was unable to return to the hospital and be with his daughter and  
15 instead was taken to a detention center where they accused him of brutally beating A.C.  
16 and endangering the life of his daughter. He was released the following day and on  
17 January 13, 2022 he was informed that the prosecutor is not failing any case against him  
18 as there was no evidence supporting that conclusion. Both CLAUDIA and NICK were  
19 inhumanly punished by being separated from their children. NICK, arrested and being the  
20 victim of a police officer who, without evidence of the accusations, separated him from  
21 his family, arresting him and sending him to a detention center. For both of them, this has  
22 represented the greatest pain they have experienced in their lives, perpetrated by  
23 authorities who are inexperienced and do not have the slightest empathy for anyone,  
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1 whether accused of a crime or not, as they treated NICK as though he brutally beat his  
2 own baby daughter.  
3

4 20. The abuses and violations of Civil and Human Rights that have been committed  
5 against the children A.A. (7), E.C. (3), A.C (2) AND E.D.C. (1) are unacceptable and  
6 represent the most atrocious side of human being. These violations have been with the  
7 objective of monetizing minors. That is, to obtain money from taxpayers, obtaining  
8 capital to finance the operations of lawyers, doctors, social workers, County supervisors  
9 and others involved. These actions are a burden on society because those who committed  
10 them are people and public servants whose social function is exactly the opposite of what  
11 they did. They have therefore created a system of corruption and organized crime, which  
12 aims to obtain money through fraud that, is perpetrated against low-income families and  
13 against children who are innocent and cannot defend themselves. For this egregious  
14 financing method, San Bernardino County authorities have trampled the rights of  
15 CLAUDIA SANDOVAL and NICK CASTANEDA. An entire family has been brutally  
16 dismantled and damaged, for no justifiable legal reason.  
17

18 21. In fact, even today, the children, especially EC and AC health is in danger as the  
19 underlying condition has not been diagnosed, or treated and AC has been rehospitalized  
20 after her removal for various life-threatening issues. It is evident that being right over  
21 the truth is by far the more important to CFS and the inexperienced, overzealous doctors  
22 that treated AC back in October 2021. The children's undiagnosed and untreated medical  
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1 conditions continue to be ignored. CFS even failed to take the children to their follow-up  
2 appointments with endocrinology and hematology. They need to be assessed and treated  
3 by doctors who specialize in the rare diseases. The longer they go without being cared  
4 for, the greater the damage will be, and it has the potential to leave consequences for the  
5 entire life of minors, including losing their lives.  
6

7  
8 22. We are facing a case that completely exposes the illicit operations of a group of  
9 individuals who work in a coordinated manner, knowing that they are violating the Law  
10 and the rights of honorable people.  
11

12 23. Their acts and omissions are criminal, such as Operation with Resources of Illicit  
13 Origin, Racketeering, Fraud, Endangering Life of Children, and others.  
14

15 24. To clearly explain and demonstrate what is mentioned in the previous paragraphs,  
16 it is necessary to make an exhaustive narration and explain the context of the Facts.  
17

18 25. Although AA did not suffer any injuries whatsoever, he was abruptly taken from  
19 his parents' side and placed in foster care, where he remains to this day. The only saving  
20 grace is that he is placed with his sisters.  
21

22  
23 26. CLAUDIA became pregnant during the life of the case and what is typically a  
24 joyous occasion became that of a parent's worst nightmare. As soon as CFS got wind of  
25 EDC's birth, 08/25/2022, they ripped Claudia and NICK's newest addition to their family  
26  
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1 right from their arms. Claudia has not seen any of her babies since September 2022.  
2 Nick has not seen his babies since ) October 17, 2021.  
3  
4

5 **JURISDICTION AND VENUE**  
6

7 1. Plaintiffs, NICK CASTANEDA and CLAUDIA SANDOVAL bring this action  
8 pursuant to 42 U.S.C. §1983, *et. seq.*, to redress the deprivation of rights secured under  
9 the United States Constitution, including the Fourth and Fourteenth Amendments. These  
10 violations were inflicted by each of the Defendants in the manner herein alleged.  
11

12 2. Jurisdiction is conferred on this Court by 28 U.S.C. §§1343(a)(3) and 1343(a)(4),  
13 which provide for original jurisdiction in this Court of all suits brought pursuant to  
14 section 1983. Jurisdiction is also conferred by 28 U.S.C. §1331.  
15

16 3. Because the acts and omissions complained of occurred in the County of San  
17 Bernardino, and it is believed that all Defendants currently reside in the County of Los  
18 Angeles, venue is proper in the Central District of California.  
19

20 4. These allegations are based on Plaintiffs' personal knowledge, or on information  
21 and belief.  
22

23 **PARTIES**

24 5. Plaintiffs, Nick Castaneda and Claudia Sandoval are and were at all material times  
25 mentioned herein, residents of the County of San Bernardino, State of California.  
26  
27  
28

1 6. Plaintiff, CLAUDIA, is the natural and biological mother of her minor children,  
2 A.A. (born 1/7/16), E.C. (born 6/17/20), A.C. (born 9/25/21), E.D.C. (born 08/25/22).

3  
4 Plaintiff, NICK, is the natural and biological father of the child E.C., A.C., E.D.C.

5 7. Pursuant to F.R. Civ.P. 5.2, the minor children’s names are reduced to initials in  
6 these pleadings. In order to protect the children’s privacy, it is Plaintiffs’ intent to use this  
7 designation unless and until such time the Court orders otherwise.  
8

9 8. At all times relevant herein, prior to the removal of A.A E.C, A.C, E.D.C., from  
10 Plaintiffs’ care by Defendants, Plaintiff, CLAUDIA, raised, nurtured, provided guidance,  
11 and cared for her children.  
12

13 9. At all times prior to the wrongful removal and continued detention of the children  
14 by Defendants, Plaintiffs enjoyed the company, companionship, and society of their  
15 children, and all other benefits and burdens of their rights of familial association with  
16 their children.  
17

18 10. At all times mentioned herein, the COUNTY OF SAN BERNARDINO  
19 (“COUNTY”) was and is a public entity. It is a municipality in corporate form, organized  
20 and existing under the laws of the State of California.  
21

22 11. At all times applicable herein, the County of San Bernardino Department of  
23 Children and Family Services (“CFS”) was and is a subdivision, entity, or administrative  
24 arm of the County of San Bernardino, which together with COUNTY, promulgated,  
25 encouraged, and/or permitted, the policies, patterns, and practices under which the  
26 individual Defendants, SHANNAE, AUTUMN, STEPHANIE, JANICA,  
27  
28

1 WESLEY,CHRISTINE, ELLA, CINDY, PIERRE, NICHOLE, MAYRA G, JANE,  
2 MARICRUZ and Does 1-20 committed the acts or omissions complained of herein, and  
3 of which policies, practices, customs, and/or procedures, and/or failure to train, whether  
4 or not promulgated in written form, encouraged, or allowed to persist by Defendant  
5 COUNTY. COUNTY condoned, ratified, and ignored without remediation the conduct of  
6 the social worker Defendants pursuant to said policies, practices, customs, and  
7 procedures, as complained of herein.  
8  
9

10 12. As the employer of social workers and their supervisors, COUNTY and/or CFS  
11 had primary responsibility for the training, education, and supervision of social workers,  
12 emergency response workers, dependency intake workers, placement workers, and all  
13 other CFS personnel, and CFS supervisors.  
14

15 13. Plaintiffs contend that the policies, practices and procedures of CFS aforesaid and  
16 herein below, inclusive of the material misrepresentation of facts along with the failure to  
17 include mitigating and/or exculpatory evidence in reports presented to the court as well as  
18 throughout the protective custody warrant, constitute a basis for governmental liability in  
19 this case pursuant to the *Monell* theory of liability. Plaintiffs have not and do not plead as  
20 a separate “Claim for Relief,” as the *Monell* liability for the COUNTY liability of the  
21 COUNTY is based on a legal and case law based theory of liability, which applies to  
22 each of the CAUSES OF ACTION against the individual Defendant-employees.  
23  
24

25 However, in the event the Court may desire a separate Claim for Relief for such liability,  
26  
27  
28

1 Plaintiffs reserve the right to seek leave to separately set forth a Claim for Relief for  
2 *Monell* liability.

3  
4 14. Such *Monell* liability also exists based on the fact COUNTY has failed to train at  
5 all and/or failed to train employees adequately on state and federal laws, statutes, and/or  
6 regulations implicated in the context of a child abuse/neglect investigation. For these  
7 policies, procedures, practices/customs, and inadequate or non-existent training, Plaintiffs  
8 do hereby seek to hold COUNTY responsible in whole or in part for the conduct of the  
9 individual Defendants herein named.  
10

11 15. Plaintiffs hereby sue all agencies and departmental units of COUNTY specified  
12 hereinabove under the designation of COUNTY herein, and/or interchangeably

13  
14 16. At all times relevant herein, Defendant social worker SHANNAE HART  
15 (“HART”) was an individual residing, on information and belief, in the County of San  
16 Bernardino, and an officer, agent, and employee of COUNTY and CFS, acting under  
17 color of law and within the course and scope of her employment, driven by COUNTY’S  
18 official policies and practices.  
19

20  
21 17. At all times applicable herein, Defendant supervising social worker AUTUMN  
22 WALKER (“WALKER”) was an individual residing, on information and belief, in the  
23 County of San Bernardino, and an officer, agent, and employee of County of San  
24 Bernardino and CFS, acting under color of law and within the course and scope of his  
25 employment, and individually, driven by COUNTY’S official policies and practices.  
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1 18. At all times relevant herein, Defendant social worker JANICA OWNBEY  
2 (“OWNBEY”) was an individual residing, on information and belief, in the County of  
3 San Bernardino, and an officer, agent, and employee of COUNTY and CFS, acting under  
4 color of law and within the course and scope of her employment, driven by COUNTY’S  
5 official policies and practices.  
6

7 19. At all times applicable herein, Defendant supervising social worker WESLEY  
8 WILLIAMS (“WILLIAMS”) was an individual residing, on information and belief, in  
9 the County of San Bernardino, and an officer, agent, and employee of County of San  
10 Bernardino and CFS, acting under color of law and within the course and scope of his  
11 employment, and individually, driven by COUNTY’S official policies and practices.  
12  
13

14 20. At all times relevant herein, Defendant social worker CHRISTINE SIPIN  
15 (“SIPIN”) was an individual residing, on information and belief, in the County of San  
16 Bernardino, and an officer, agent, and employee of COUNTY and CFS, acting under  
17 color of law and within the course and scope of her employment, driven by COUNTY’S  
18 official policies and practices.  
19

20 21. At all times applicable herein, Defendant supervising social worker  
21 STEPHANIE RIOS (“RIOS”) was an individual residing, on information and belief, in  
22 the County of San Bernardino, and an officer, agent, and employee of County of San  
23 Bernardino and CFS, acting under color of law and within the course and scope of his  
24 employment, and individually, driven by COUNTY’S official policies and practices.  
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1 22. At all times relevant herein, Defendant social worker ELLA MONGER  
2 (“MONGER”) was an individual residing, on information and belief, in the County of  
3 San Bernardino, and an officer, agent, and employee of COUNTY and CFS, acting under  
4 color of law and within the course and scope of her employment, driven by COUNTY’S  
5 official policies and practices.  
6

7 23. At all times applicable herein, Defendant social worker CINDY LOPEZ  
8 (“LOPEZ”) was an individual residing, on information and belief, in the County of San  
9 Bernardino, and an officer, agent, and employee of County of San Bernardino and CFS,  
10 acting under color of law and within the course and scope of his employment, and  
11 individually, driven by COUNTY’S official policies and practices.  
12  
13

14 24. At all times relevant herein, Defendant supervisor social worker PIERRE DOUNG  
15 (“DOUNG”) was an individual residing, on information and belief, in the County of San  
16 Bernardino, and an officer, agent, and employee of COUNTY and CFS, acting under  
17 color of law and within the course and scope of her employment, driven by COUNTY’S  
18 official policies and practices.  
19

20 25. At all times applicable herein, Defendant social worker NICOLE ROACH  
21 (“ROACH”) was an individual residing, on information and belief, in the County of San  
22 Bernardino, and an officer, agent, and employee of County of San Bernardino and CFS,  
23 acting under color of law and within the course and scope of his employment, and  
24 individually, driven by COUNTY’S official policies and practices.  
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1 26. At all times relevant herein, Defendant deputy director LAURA LEE (“LEE”) was  
2 an individual residing, on information and belief, in the County of San Bernardino, and  
3 an officer, agent, and employee of COUNTY and CFS, acting under color of law and  
4 within the course and scope of her employment, driven by COUNTY’S official policies  
5 and practices.  
6

7 27. At all times relevant herein, Defendant CHILDREN ASSESSMENT CENTER  
8 interviewer MARGARITA DOMINGUEZ, M.S. (“DOMINGUEZ”) was an individual  
9 residing, on information and belief, in the County of San Bernardino, acting under color  
10 of law and within the course and scope of her employment with COUNTY OF SAN  
11 BERNARDINO and individually, driven by COUNTY’S official policies and practices.  
12

13 28. At all times applicable herein, Defendant LOMA LINDA UNIVERSITY  
14 CHILDREN’S HOSPITAL. (“LLUCH”) was a corporation organized and existing under  
15 the laws of the State of California and was and was qualified to do business in California.  
16

17 29. At all times applicable herein, Defendant LOMA LINDA UNIVERSITY  
18 HEALTH CARE (“LLUHC”) was a corporation organized and existing under the laws of  
19 the State of California and is and was qualified to do business in California.  
20

21 30. At all times applicable herein, Defendant LOMA LINDA UNIVERSITY  
22 MEDICAL CENTER (“LLUMC”) was a corporation organized and existing under the  
23 laws of the State of California and is and was qualified to do business in California.  
24  
25  
26  
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28

1 31. At all times applicable herein, Defendant LOMA LINDA UNIVERSITY  
2 UNIVERSITY (“LLU”) was a corporation organized and existing under the laws of the  
3 State of California and is and was qualified to do business in California.  
4

5 32. At all times applicable herein, Defendant SHANNAE HART, was an individual  
6 residing, on information and belief, in San Bernardino County.  
7

8 33. At all times applicable herein, Defendant AUTUMN WALKER, was an individual  
9 residing, on information and belief, in San Bernardino County

10 34. At all times applicable herein, Defendant JANICA OWNBEY was an individual  
11 residing, on information and belief, in San Bernardino County.  
12

13 35. At all times applicable herein, Defendant WESLEY WILLIAMS was an  
14 individual residing, on information and belief, in San Bernardino County.

15 36. At all times applicable herein, Defendant CHRISTINE SIPIN was an individual  
16 residing, on information and belief, in San Bernardino County.  
17

18 37. At all times applicable herein, Defendant STEPHANIE RIOS, was an individual  
19 residing, on information and belief, in San Bernardino County.  
20

21 38. At all times applicable herein, Defendant ELLA MONGER was an individual  
22 residing, on information and belief, in San Bernardino County.

23 39. At all times applicable herein, Defendant CINDY LOPEZ was an individual  
24 residing, on information and belief, in San Bernardino County.  
25

26 40. At all times applicable herein, Defendant PIERRE DOUNG was an individual  
27 residing, on information and belief, in San Bernardino County.  
28

1 41. At all times applicable herein, Defendant NICHOLE ROACH was an individual  
2 residing, on information and belief, in San Bernardino County.

3  
4 42. At all times applicable herein, Defendant LAURA LEE was an individual  
5 residing, on information and belief, in San Bernardino County.

6 43. At all times applicable herein, Defendant MARICRUZ DOMINGUEZ, M.S was  
7 an individual residing, on information and belief, in San Bernardino County.

8  
9 44. At all times applicable herein, Defendant KOMAL AZIZ, M.D was an individual  
10 residing, on information and belief, in San Bernardino County.

11 45. At all times applicable herein, Defendant LAURA ANN JACOBSON, M.D was  
12 an individual residing, on information and belief, in San Bernardino County.

13  
14 46. At all times applicable herein, Defendant FARAZ ALI KHAN, M.D. was an  
15 individual residing, on information and belief, in San Bernardino County

16  
17 47. At all times applicable herein, Defendant PERRY GRANT was an individual  
18 residing, on information and belief, in San Bernardino County.

19 48. At all times applicable herein, Defendant YEN-YING WU, M.D. was an  
20 individual residing, on information and belief, in San Bernardino County.

21  
22 49. Defendant COUNTY is a municipality organized and operating under the laws of  
23 California.

24 50. The SAN BERNARDINO COUNTY SHERRIF DEPARTMENT (“SHERIFF”) is  
25 a governmental agency organized and existing pursuant to the law and policies of  
26 Defendant COUNTY, which together with SHERIFF, promulgated, encouraged, and/or  
27

1 permitted, the policies, patterns, and practices under which the individual Defendants,  
2 and Does 1 – 20, committed the acts or omissions complained of herein, and of which  
3 policies, practices, customs, and/or procedures, and/or failure to train, whether  
4 promulgated in written form, encouraged, or allowed to persist by Defendant COUNTY  
5 condoned, ratified, and ignored without remediation the conduct of the police officer  
6 Defendants pursuant to said policies, practices, customs, and procedures, as complained  
7 of herein.  
8  
9

10 51. As the employer of police officers and their supervisors, COUNTY and/or  
11 SHERIFF had primary responsibility for the training, education, and supervision of  
12 police officers, and all other SHERIFF personnel, and SHERIFF supervisors. Plaintiff  
13 contends that the policies, practices, and procedures of SHERIFF aforesaid and herein,  
14 constitute a basis for governmental liability in this case pursuant to the *Monell* theory of  
15 Liability. Plaintiff has not and does not plead as a separate “Claim for Relief,” The  
16 *Monell* liability of the COUNTY, because a “*Monell* claim,” is a legal theory of vicarious  
17 liability for the action or inaction of another, not a stand-alone “Claim for Relief.”  
18 However, in the event the Court may desire a separate Claim for Relief for such liability,  
19 Plaintiff reserves the right to seek leave to separately set forth a Claim for Relief for  
20 *Monell* liability.  
21  
22  
23

24 52. Such *Monell* liability also exists based on the fact COUNTY and/or SHERIFF has  
25 failed to train at all and/or failed to train employees adequately on state and federal laws,  
26 statutes, and/or regulations implicated in the context of a child abuse/neglect  
27  
28

1 investigation. This failure to train leads to and is the driving force behind the illegal  
2 removals of children in the COUNTY, such as occurred in this matter. For these policies,  
3 procedures, practices/customs, and inadequate or non-existent training, Plaintiff do  
4 hereby seek to hold COUNTY responsible in whole or in part for the conduct of the  
5 individual Defendants herein named.  
6

7 53. Additionally, COUNTY and/or SHERIFF has developed a long-standing practice  
8 of removing children without a warrant in circumstances that do not constitute an  
9 imminent risk of serious bodily injury, and/or without reasonable investigation, and/or  
10 when the risk of harm to a child is not so imminent as to have insufficient time within  
11 which to obtain a warrant, a process presumably involving the consideration of neutral  
12 and detached judicial officer.  
13

14 54. Defendant DETECTIVE VANAYES QUEZADA (“QUEZADA”), was an  
15 employee of the COUNTY and/or SHERIFF as a DETECTIVE at the time of the events  
16 and circumstances complained of herein. Plaintiff is informed and believes that  
17 QUEZADA was in the Specialized Investigations Division for the Crime Against  
18 Children (CAC), had the following identifying serial number G3235 and was a resident  
19 of COUNTY.  
20

21 55. Defendant DETECTIVE J. BURKHART (“BURKHART”), was an employee of  
22 the COUNTY and/or SHERIFF as a DETECTIVE at the time of the events and  
23 circumstances complained of herein. Plaintiff is informed and believes that QUEZADA  
24  
25  
26  
27  
28

1 was in the Specialized Investigations Division for the Crime Against Children (CAC),  
2 had the following identifying serial number A8313 and was a resident of COUNTY.

3  
4 56. Defendant DETECTIVE RACHEL YOUNG (“YOUNG”), was an employee of  
5 the COUNTY and/or SHERIFF as a DETECTIVE at the time of the events and  
6 circumstances complained of herein. Plaintiff is informed and believes that QUEZADA  
7 was in the Specialized Investigations Division for the Crime Against Children (CAC),  
8 was a resident of COUNTY.

9  
10 57. Defendant DETECTIVE MANDONADO (“MALDONADO”), was an employee  
11 of the COUNTY and/or SHERIFF as a DETECTIVE at the time of the events and  
12 circumstances complained of herein. Plaintiff is informed and believes that QUEZADA  
13 was in the Specialized Investigations Division for the Crime Against Children (CAC),  
14 was a resident of COUNTY.

15  
16 58. Plaintiffs are informed and believe and, on such basis, allege that each of the  
17 above-named parties were and are the agent, employee, principal, employer and/or co-  
18 conspirator of each of the remaining defendants and/or vice versa. In addition, Plaintiffs  
19 are informed and believe and, on such basis, allege that the defendants named  
20 hereinabove, and each of them, are responsible in some manner for the occurrences  
21 herein alleged, and that each of the above-named defendants conspired with, and/or aided  
22 and/or abetted and/or jointly collaborated with each of the remaining defendants and  
23 identified persons in committing the acts herein alleged.  
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1 59. Plaintiffs are informed and believe, and thereon alleges, that the individually  
2 named Defendant officers were decision makers in the making and/or implementation of  
3 COUNTY policy regarding the removal and continued detention of A.A., E.C., and A.C.,  
4 During an investigation into allegations of child abuse generally, and in the case  
5 involving NICK, CLAUDIA, A.A., E.C. and A.C., specifically, and the de facto decision  
6 makers on the decision to remove children such as A.A., E.C. and A.C., from their  
7 parents.  
8  
9

10 60. Plaintiff is informed and believes and, based upon such information and belief,  
11 allege that at all times herein mentioned, QUEZADA, BURKHART, YOUNG and  
12 MALDONADO and Does 1- 20, were each the agent of each other, and/or employees of  
13 their codefendant COUNTY and/or SHERIFF, and each of Defendants were acting  
14 within the scope, purpose, and authority of their employer, COUNTY and/or SHERIFF,  
15 and with the knowledge, permission and consent of said co-defendants, and each of them,  
16 and/or within the scope and purpose of a conspiracy to violate Plaintiff's rights.  
17  
18

19 61. Plaintiffs are informed and believe and, on such basis, allege that each of the  
20 above-named defendants and settling co-conspirators were acting under color of law in  
21 committing the acts herein alleged, and that in doing the things herein alleged defendants,  
22 and each of them, were acting within the course and scope of their duties as employees or  
23 agents of each other.  
24  
25

26 62. Defendants LOMA LINDA UNIVERSITY CHILDREN HOSPITAL (LLUCH),  
27 LOMA LINDA UNIVERSITY MEDICAL CENTER (LLUMC), LOMA LINDA  
28



1 UNIVERSITY HEALTH CARE (LLUHC), LOMA LINDA UNIVERSITY (LLU)  
2 (hereinafter “LLUH”) are persons within the meaning of 42 U.S.C. § 1983 and are  
3 subject to *Monell* liability. When working in joint collaboration to curtail the rights of  
4 parents in Plaintiffs’ circumstances, the *Monell* defendants - and each of them, had a duty  
5 to Plaintiffs at all times, to establish, implement and follow policies, procedures, customs  
6 and/or practices (hereinafter “policy” or “policies”) which confirm and provide the  
7 protections guaranteed Plaintiffs under the United States Constitution, including those  
8 under the Fourteenth Amendments, to include without limitation, the protection of the  
9 right to familial relations; the right to privacy; the right not to be defamed or stigmatized;  
10 and the right to procedural due process. Said defendant also has a duty to use reasonable  
11 care to select, assign, supervise, train, control, and review the activities of all their agents,  
12 officers, employees and those acting under them, including defendants AZIZ,  
13 JACOBSON, KHAN, GRANT, and WU, so as to protect Plaintiffs’ constitutional rights  
14 in order to avoid causing the injuries and damages herein alleged. Based on the duties  
15 charged to *Monell* Defendants, including the nature of their work relating to juvenile  
16 dependency proceedings, *Monell* Defendants knew or should have known of the obvious  
17 need to establish customs, policies, and practices as would be required to protect the  
18 aforementioned civil rights of parents and their children.  
19  
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24 63. In collaborating with the COUNTY to improperly curtail Plaintiffs’ constitutional  
25 rights, the *Monell* Defendants, and each of them, established and/or followed policies,  
26 procedures, customs, and/or practices which policies, procedures, customs, practices  
27  
28

1 and/or usages were the moving force behind the violations of Plaintiffs’ constitutional  
2 rights, including those arising under the Fourteenth Amendment of the United States  
3 Constitution as follows:  
4

5 a. The policy and/or practice of jointly collaborating with state child welfare services  
6 agencies in detaining and/or removing children from their family and homes without  
7 exigent circumstances (imminent danger of serious bodily injury), court order and/or  
8 consent as part of their greater efforts to collaborate with government child welfare  
9 agencies in fabricating evidence to support the government’s unlawful detention of  
10 children from their parents;  
11

12 b. the policy and/or practice of falsely accusing parents of suffering from substance  
13 abuse or mental illness as a basis for removing children from their parents’ care as part of  
14 their greater efforts to collaborate with government child welfare agencies in fabricating  
15 evidence to support the government’s unlawful detention of children from their parents;  
16

17 c. the policy and/or practice of fabricating evidence against a parent in order to  
18 support a knowingly false referral for child abuse;  
19

20 d. the policy and/or practice of withholding exculpatory evidence from investigators  
21 of child abuse as part of their greater efforts to collaborate with government child welfare  
22 agencies in fabricating evidence to support the government’s unlawful detention of  
23 children from their parents;  
24

25 e. the policy and/or practice of accusing parents of child abuse in order to intimidate  
26 parents to providing “consent” to perform medical procedures, investigative procedures,  
27  
28

1 or other invasive and unnecessary examinations of a child, prior to reporting any instance  
2 of child abuse to child welfare service agencies;

3  
4 f. the policy and/or practice of knowingly assisting in the wrongful removal or  
5 detention of children, and continuing to detain them for an unreasonable period after any  
6 alleged basis for detention is negated;

7  
8 g. by acting with deliberate indifference in implementing policy of inadequate  
9 training and/or supervision, and/or by failing to train and/or supervise its officers, agents,  
10 employees and state actors, in providing the constitutional protections guaranteed to  
11 individuals, including those under the Fourteenth Amendment, when performing actions  
12 related to child abuse and dependency type proceedings;(This list is not exhaustive due to  
13 the pending nature of discovery and the privileged and protected records of investigative  
14 and juvenile dependency type proceedings. Plaintiff may seek leave to amend this  
15 pleading as more information becomes available.)  
16  
17

18 64. Plaintiff is informed and believes and on such basis alleges that all of the  
19 foregoing customs, polices, practices, and usages of the private corporation *Monell*  
20 Defendants were promulgated in order to increase revenues for the particular hospital  
21 Defendants in that each child that is brought within their respective grasp and processed,  
22 in search of a diagnosis of child abuse (on information and belief) generates a  
23 government funded revenue stream which brings a massive inflow of revenue to the  
24 private hospitals which are willing to collaborate with government social services  
25 agencies to wrongfully remove children from their homes. Hence, it benefits the hospital  
26  
27  
28

1 defendants to voluntarily collaborate with the government to generate false evidence to  
2 support over-reaching claims of child abuse when none in fact exists.

3  
4 65. Plaintiffs are informed and believe and on such basis allege that each of the above  
5 named parties were and are the agent, employee, principal, employer and/or co-  
6 conspirator of each of the remaining defendants and/or vice versa. In addition, Plaintiffs  
7 are informed and believe and on such basis allege that the defendants named hereinabove,  
8 and each of them, are responsible in some manner for the occurrences herein alleged, and  
9 that each of the above named defendants conspired with, and/or aided and/or abetted  
10 and/or jointly collaborated with each of the remaining defendants and identified persons  
11 in committing the acts herein alleged.  
12  
13

14 66. The *Monell* hospital Defendants breached their respective duties and obligations to  
15 Plaintiffs by, but not limited to, failing to establish, implement and follow the correct and  
16 proper Constitutional policies, procedures, customs, and practices; by failing to properly  
17 select, supervise, train, control, and review its agents and employees as to their  
18 compliance with Constitutional safeguards; and by deliberately permitting Defendants  
19 AZIZ, JACOBSON, KHAN, GRANT, and WU and DOES 1 through 20, inclusive, to  
20 engage in the unlawful and unconstitutional conduct as alleged herein with at total  
21 indifference to the rights of affected parents, including Plaintiffs herein.  
22  
23

24 67. *Monell* hospital Defendants, and each of them, knew, or should have known, that  
25 by breaching the above-mentioned duties and obligations that it was reasonably  
26 foreseeable that its agency policies, practices, customs, and usages would, and did, cause  
27  
28

1 Plaintiffs to be injured and damaged by *Monell* Defendants' wrongful policies, or  
2 deliberate lack thereof or deliberate indifference to the need for such policies and/or  
3 training, and other acts as alleged herein, and that such breaches occurred in  
4 contravention of public policy and their legal duties and obligations to Plaintiffs; and that  
5 such policies were the moving force behind the violation of Plaintiffs' constitutional  
6 rights as alleged herein above.  
7

8  
9 68. These actions, and/or inactions, of *Monell* hospital defendants are the moving  
10 force behind, and direct and proximate cause of Plaintiffs' injuries, as alleged herein; and  
11 as a result, Plaintiffs have sustained general and special damages, to an extent and in an  
12 amount to be proven at trial. In addition, Plaintiffs have incurred, and will continue to  
13 incur, attorneys fees, costs and expenses, including those authorized by 42 U.S.C. § 1988,  
14 to an extent and in an amount subject to proof at trial.  
15

16  
17 69. Plaintiffs are informed and believe and on such basis allege that each of the above  
18 named defendants and settling co-conspirators were acting under color of law in  
19 committing the acts herein alleged, and that in doing the things herein alleged defendants,  
20 and each of them, were acting within the course and scope of their duties as employees or  
21 agents of each other.  
22

23 70. Plaintiffs are ignorant of the true names and identities of those Defendants sued  
24 fictitiously herein as Does 1-20, inclusive.  
25

26 71. Plaintiffs are informed and believe that the individual Defendants named herein,  
27 including the Does Defendants participated in some manner in the events set forth in this  
28

1 Complaint, or failed to participate in some manner, which acts or failures to act were in  
2 some manner a proximate cause of the injuries complained of by Plaintiffs herein, and for  
3 which, whether by conspiracy to violate the Plaintiffs' rights, agreement, inadequate  
4 supervision, inadequate training, consent, ratification, or active participation, such Doe  
5 Defendants are responsible and/or liable for the Plaintiffs' injuries and damages.  
6

7  
8 72. Defendants DOES 1-20 are identified and sued herein by such fictitious names,  
9 their true names and capacities being unknown to Plaintiffs. When ascertained, Plaintiffs  
10 will amend this Complaint by inserting their true names and capacities. Plaintiffs are  
11 informed and believe and thereon allege that each of the fictitiously named Defendants  
12 are responsible in some manner for the occurrences herein alleged, and those Defendants  
13 proximately caused, are responsible for and/or legally liable for Plaintiffs' damages as  
14 herein alleged. Each reference in this complaint to "Defendant," "Defendants," or a  
15 specifically named Defendant refers to and includes all Defendants sued under fictitious  
16 names. On information and belief, Plaintiffs make all allegations contained in this  
17 Complaint against all Defendants, including DOES 1-20. At all times mentioned herein,  
18 DOES 1-20 were acting under color of law and within the course and scope of their  
19 respective duties as CFS agents and/or employees.  
20  
21  
22

23 73. Hereinafter, when referred to collectively, the Defendants in paragraphs 16  
24 through 27, inclusive, may occasionally be referred to as Social Worker Defendants.  
25

26 74. Whenever this Complaint makes reference to any act of Defendants, such  
27 allegations shall be deemed to mean all named Defendants and DOES 1-20, or their  
28

1 officers, agents, managers, representatives, employees, heirs, assignees, customers,  
2 tenants, who did or authorized such acts while actively engaged in the operation,  
3 management, direction or control of the affairs of Defendants (or any of them) and  
4 while acting within the course and scope of their duties, except as specifically alleged to  
5 the contrary.  
6

7  
8 75. At all times herein mentioned and with respect to the specific matters alleged in  
9 this Complaint, Plaintiffs are informed and believe that each Defendant (including DOES  
10 1-20), was a parent, subsidiary, affiliate, alter ego, partner, agent, franchisee, licensee,  
11 employee, employer, controlling franchiser, controlling licensor, principal, and/or joint  
12 venturer of each of the remaining Defendants, and was at all times acting within the  
13 course and scope of such agency, service, employment, control and/or joint venture, and  
14 each Defendant has ratified, approved, conspired in, profited from and/or authorized the  
15 acts of each of the remaining Defendants and/or failed to prevent such acts when having  
16 the power and/or duty to do so, with full knowledge of said acts.  
17  
18

19 **COMMON ALLEGATIONS**

20  
21 76. At all relevant times, NICK, CLAUDIA and their four children, A.A. (5 yrs. Old  
22 at time of removal), E.C. (1 yrs. old at time of removal), A.C. (21 day old at time of  
23 removal) and E.D.C. (9 days old at time of removal) constituted a family unit, entitled to  
24 Constitutional protections arising under the First, Fourth, and Fourteenth Amendments.  
25 This includes, but is not limited to, the right to live together free of unwarranted  
26 governmental interference, the right to familial privacy, right to be free from government  
27  
28

1 deception in the presentation of evidence to the courts, and the right of parents to  
2 reasonably direct the upbringing, care, and control of their children without unwarranted  
3 governmental interference. These rights also included medical care and the making of  
4 important medical decisions for their children.  
5

6 77. In addition, NICK, CLAUDIA, and all their children enjoyed a separate and  
7 distinct right to live together without undue governmental interference.  
8

9 78. Nick and Claudia, like almost every parent, noticed something was not right with  
10 their newborn and they did what most average parents would do, they took their daughter  
11 to the doctor thinking they would get the help their daughter needed in order to address  
12 her condition. However, they were unaware of the close-net, enmeshed relationship CFS  
13 and LLUCH have when it comes to “investigating” child abuse. Although CFS is charged  
14 with investigating suspected abuse and neglect of minors CFS is still mandated to obtain  
15 medical consultations to supplement its work. Lying in wait are specialized physicians  
16 and whole hospital teams that cooperate extensively CFS and law enforcement, as a  
17 matter of practice. The pediatric child abuse and trauma team at LLUCH is the  
18 investigatory apparatus that exists to provide the county with the proof it desires, and  
19 finding that the injuries are a result of abuse is clearly the easiest and expedient result  
20 regardless of the evidence that these children are clearly suffering from some sort of  
21 metabolic and/or congenital disorder that is very likely to be rare and thus takes  
22 significant more time and testing to find out.  
23  
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1 79. AZIZ , and other named hospital defendants, and named CFS social workers  
2 worked hand in hand together to find that the injuries were as a result of abuse at the  
3 hands of one or more of the child’s parents. Essentially it is a ready-made litigation team  
4 that works hand in hand with CFS to provide the records needed to substantiate their  
5 preconceived conclusion of abuse. The CFS reports are created with an agenda as  
6 opposed to providing all possible explanations, as objective investigative work requires,  
7 and is necessary to get to the truth. Some diagnoses are, by virtue of their very existence,  
8 treated as prima facia proof of abuse and neglect. However, “Child abuse experts” or in  
9 this case, a first year pediatrician, 2 months into her 3-year training program lack the  
10 requisite training to accurately diagnose specific injuries and whether they are as a result  
11 of physical abuse. For example, AZIZ undeniably stated that the minors have multiple  
12 rib fractures. However, the pediatric orthopedic surgeon, Dr Grogan, reviewed the  
13 minors’ entire medical records and all the bone scans and MRI imaging and  
14 unequivocally found that there were NO rib fractures at all.

15 OCTOBRE 15 2021 TOOK CHILDREN TO LLUCH, ED

16 80. A.C. is admitted to LLUCH after visit to the pediatrician, Dr. Barber, on  
17 October 14, 2021. He referred A.C. to a larger, more comprehensive medical  
18 facility because he knew that he did not have the means or knowledge to  
19 adequately diagnose her medical issues. After a full physical of A.C, he found no  
20 signs of physical damage. He also found A.C. to be within the normal limits for her age  
21 and without any apparent health problems, other than the small spot (broken capillary) in  
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1 her eye. Dr. BARBER stated that babies can rupture the capillaries in their eyes  
2 involuntarily and/or when they cough or cry, which he stated was nothing urgent. Dr.  
3 BARBER then stated that they should get further work-up at the hospital because they  
4 have more facilities, but that it was not urgent and that they could take her after Nick  
5 finished work (as they only had one working car between the two of them). Despite this  
6 fact, HART alleged that,” the mother Claudia Sandoval”, and “the father, Nick  
7 Castaneda,... have a history of failing to ensure to provide necessary medical treatment  
8 for the child, A.C... the child was hospitalized as a result of being non-compliant with  
9 medically advised treatment...” This is false. CLAUDIA and NICK took their daughter  
10 the following day as they asked Dr Barber if it was ok to wait a day as Nick was at work  
11 and they only had one car between them.  
12  
13  
14

15 81. HART, in the petition, stated that A.C. has a “subdural hematoma on both the left  
16 and right side of the head, microhemorrhages to the child’s brain and subconjunctival  
17 hemorrhages to the left eye” however on 10/16/2021 A.C.’s Brain MRI without contrast  
18 shows “small” subdural hematomas underlying the right parietal displaced skull fracture  
19 and along the left temporal and occipital lobes. “Trace” hemorrhage along the posterior  
20 falx and left tentorium. “Small focus” of extra-axial hemorrhage at the right frontal  
21 vertex. Suggestion of “tiny bifrontal microhemorrhages.” A.C. was born with an  
22 accessory occipital suture that was confirmed to not be a skull fracture, however, “small  
23 and tiny hematomas” were present along the occipital suture as well, A.C.’s laboratory  
24  
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1 test show that A.C. has a Platelet Level of 662 bil/L (normal: 130-460 bil/L) and a  
2 Hemoglobin Level of 9.5 g/dL (normal: 10-18 g/dL).

3  
4 82. On 2/16/2022 A.C. is admitted to MemorialCare Long Beach in critical condition  
5 A.C. started vomiting blood (Hematemesis) and spiked a fever, Lab tests reveal elevated  
6 platelets and abnormal blood counts (the same flags from LLUCH) An procedure was  
7 done to stop the bleeding that was coming through the fundus without specific lesions  
8 (spontaneous bleed), A.C. goes into respiratory failure and has to be intubated and have a  
9 NG tube installed, A.C. tests positive for multiple viruses and was septic, Further testing  
10 was done confirming that A.C. does have two very serious and life threatening bleeding  
11 disorders, A.C. amazingly recovers and the doctors recommend that A.C. be seen by a  
12 geneticist ASAP in Consideration of A.C.'s bone abnormalities, bleeding disorders and  
13 immune system issues (indicative of a bone marrow issue)

14  
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16  
17 83. On 10/12/2022 Dr. AZIZ testifies under oath that Athena had normocytic anemia  
18 due to the "amount of bleeding" caused by the injuries. One read previously that the  
19 Pediatric Radiologist identified the blood seen was "trace," "tiny" and "small" bleeds.  
20 Athena did not have active bleeding when she was admitted. The transcript is from the  
21 10/12/2022 dependency hearing in which Dr. AZIZ is being cross examination by County  
22 Counsel Hanna Tavill.  
23  
24  
25

26 84. HART, in the petition, stated that A.C. had a "corner fracture to the femur",  
27 however the medical records clearly states that "Irregularity of the right distal metaphysis  
28

1 is likely a normal variant distal tibia spur.” The original irregularity seen on imaging was  
2 identified multiple times as a perichondrial spur which can occur from Ehlers-Danlos  
3 disease (in which the mother has tested positive for on her genetic testing), infantile  
4 rickets due to Vitamin D deficiency (A.C.is Vitamin D deficient), or a sign of congenital  
5 bone dysplasia (in which both A.C. and E.C.’s genetic panel revealed the same mutation  
6 that causes bone dysplasia). Permultiple imaging studies, the conclusion was that no  
7 actual trauma based fractures or injuries were identified on A.C.’s lower extremities.  
8

9  
10 85. HART, in the petition, stated that A.C. has a “corner fracture to the knee” however  
11 the medical records clearly state that 10/26/2021. A.C. had x-rays done on her lower  
12 extremities and the pediatric radiologist now state “that there are no healing fractures  
13 seen and there isn’t a fracture of the left knee”. On 11/29/2021- A.C. had a repeat x-rays  
14 of her lower extremities and the pediatric radiologist again states that “No fracture  
15 identified. Similar subtle cortical irregularity involving the distal tibia medially,  
16 supporting perichondrial spur.”  
17  
18

19  
20 86. On 12/1/2021- Pediatric Radiologist Dr. WU has a phone call with Dr. AZIZ at  
21 9:24 am to tell her that the right proximal tibia imaging showed “No fracture is identified.  
22 Similar subtle cortical irregularity involving the distal tibia medially, supporting  
23 perichondrial spur” and that x-rays of A.C.’s knees showed “No fracture or osseous  
24 abnormality is identified.” At 10:11am, Dr. WU puts in an addendum as prompted by his  
25 discussion with Dr. AZIZ in which Dr. WU’s imaging impression changed to  
26  
27  
28

1 “...suggestion of increased cortical thickness involving the medial proximal tibial  
2 metaphysis, likely reflecting healed metaphyseal fracture” and “No fracture is identified.  
3 Essentially healed distal femoral fracture.” Dr. AZIZ is a student and does not specialize  
4 in pediatric radiology by her own admission under oath. It is completely unethical to  
5 change imaging impressions to fit a narrative. It should be noted that Dr. AZIZ did have  
6 Dr. Wu make another addendum besides the one above regarding another lower limb  
7 imaging report from A.C.’s medical record so that it once again to reflected a “healed  
8 fracture” over the original findings of a normal variant/congenital abnormality.  
9

10 Addendums put in by Dr. Wu after being prompted by Dr. AZIZ even though she self-  
11 reports that she does not have any specialized pediatric radiology training,  
12  
13

14  
15 87. 10/12/2022- Dr. AZIZ testifies under oath that A.C. had THREE leg fractures that  
16 could only be caused by extreme physical abuse by County Counsel Hanna Tavill, under  
17 cross examination.  
18

19  
20 88. On Jurisdiction/Disposition report dated 11/10/2021, OWNBEY, asked the mother  
21 about rib fractures as HART LISTED rib in several of the allegations in the petition. As a  
22 dependency investigator she is required to carefully review all the records, statement by  
23 collaterals, interview all pertinent individuals, specially the treating physicians, among  
24 other basic requirements. either OWNBEY flat out lie or she should have know or she  
25 wrote the report qith reckless disregard for the truth as she fail to meet the basic  
26  
27  
28

1 investigator and fail to meet the basic requirement of the dependency investigator

2 89. OWNBEY re stated on the first addendum to Jurisdiction/Disposition report that

3 A.C. had a “cortical irregularities involving the left distal tibia metaphysis, the right

4 proximal tibial metaphysis and the right distal femoral metaphysis, however the medical

5 record before Dr. WU discuss it with Dr. AZIZ showing “No fracture is identified.

6 Similar subtle cortical irregularity involving the distal tibia medially, supporting

7 perichondrial spur” and that x-rays of A.C.’s knees showed “No fracture or osseous

8 abnormality is identified.”

9 90. OWNBEY, in the first Addendum to Jurisdiction/Disposition report stated that

10 A.C. has a “multiple areas of subpleural thickening and cortical irregularity along the

11 posterior medial aspects of bilateral ribs; (right 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, ribs and left 3<sup>th</sup>, 4<sup>th</sup>,

12 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup> ribs.) however in the medical records clearly say on 11/09/2021-

13 A.C. has an XR Bone Survey that shows “No acute or healing rib fractures detected”

14 91. On 10/12/2022 Dr. AZIZ testifies under oath that A.C. did not have rib fractures

15 and that the 10/18/2021 imaging showed small abnormalities that are normal variants. Dr.

16 AZIZ did not update her forensic report to reflect that no fractures or injuries of the ribs

17 were identified. Dr. AZIZ doubled down in the forensic report and said that A.C.’s

18 hemorrhaging is most likely caused by squeezing forces and/or compression of the rib

19 cage. NAT protocols require a serum amylase and lipase test when abdominal/chest

20 injuries are suspected. Due to the pancreas’ location, an injury often causes serum

21 amylase and lipase to increase significantly. A.C.’s blood work revealed that she had

22 lower than normal levels of both amylase and lipase upon admission.

1 92. DR. AZIZ, HART, OWBNEY, they maintain that A.C. had a “two parietal  
2 fractures on the left and right side of the skull” however A.C has multiple imaging studies  
3 done, each initial report will change. One will see data points such as time and dates that  
4 are inconsistent and one will see that Pediatric Radiologist Dr. Wu becomes involved  
5 again in the reports changing (just like he changed his reports/made addendums for  
6 A.C.’s legs and ribs after speaking to Dr.AZIZ).  
7  
8

9 93. Although the first imaging studies were done on October 16th, 2021, one will see  
10 a note from Dr. Xue in which she called in a critical result after reviewing the images on  
11 October 15th, 2021. Also, Dr. Xue electronically signs the results at 3:43 am (page 11),  
12 however, the same exact report will reflect that she signed off at 1:06 am further down  
13 A.C.’s LLUCH medical record (page 17). Since most of the system auto-populates,  
14 especially for date and time fields, this is a worrisome finding when looking at the  
15 authenticity of the reports. The report from page 11 of A.C.’s LLUCH medical record.  
16 The same report on page 17 except the signed time changes again. The bone scan done on  
17 10/16 won’t have results until 10/18. Critical imaging done for a child in the PICU is  
18 absolutely emergent, especially for suspected head traumas. The report indicating that it  
19 took two days for a result is a strong indication that the results were either  
20 amended/tampered with or an unforgivable error occurred in which a newborn with a  
21 supposed head trauma sits without treatment in the PICU for 48 hours. Pediatric  
22 Radiologist, Dr. Wu waited to read, result and sign both A.C.’s and E.C.’s XR Bone  
23 Survey within minutes of each other on 10/18 even though A.C.’s Bone Survey was done  
24  
25  
26  
27  
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1 on 10/16 and E.C.'s was done on 10/17. One will see the imaging report results change  
2 over time through addendums and from the pediatric radiologist, Dr. Wu, who was  
3 previously shown to make addendums to his report but only after speaking with Dr. AZIZ  
4 and only after the results did not reflect Dr. AZIZ's narrative. One will see that as of  
5 10/19 it was still many of the PICU specialists understanding that there was only one  
6 skull fracture indicated on the right parietal bone.  
7  
8

9 94. 10/12/2022- Dr. AZIZ testifies under oath that A.C. has a right and left parietal  
10 skull fracture believed to be caused by two different impacts both with the force of a  
11 severe car accident however in the actual medical records of LLUCH say on physical  
12 exam "general: she is sleeping, she is not in acute distress, appearance: she is not  
13 toxic/appearance" the kind of force AZIZ described would have not just been fatal but  
14 she would have had signs of massive trauma, swelling, bruising and disfigurement to the  
15 skull and face, AZIZ would know A.C. was with no symptoms she was referring.  
16  
17  
18

19 95. HART spoke with fellow Dr. GRANT who states that "fractures to the child's is  
20 "highly suggestive" of abuse. Explained that there has been no history provided by the  
21 parents would suggest otherwise and Dr. fellow AZIZ stated that the parents of A.C. did  
22 not disclose a family history of fragile or easily broken bones, bleeding disorders or easy  
23 bruising as JACOBSON stated in her pediatric forensic initial consultation note however  
24 in the medical report clearly say "given maternal concern of suspected of  
25  
26  
27  
28



1 genetic/metabolic disorder causing pathological fractures” Dr. AZIZ was well informed  
2 by the mother regarding the mother’s concern for metabolic bone disease in both A.C.  
3 and E.C.  
4

5  
6 96. Dr. AZIZ took this case approximately two months into a three year fellowship  
7 program for Child Abuse Pediatrics at LLU Although still clearly a student, Dr. AZIZ  
8 testified that she is a qualified expert in the field. When asked why Dr. AZIZ consulted  
9 with other medical professionals while forming an opinion, Dr. AZIZ would testify that,  
10 “Because I have training, residency training, in pediatrics. I do not have specialty training  
11 in radiology or neurosurgery or trauma surgery. So I rely on other subspecialties to get  
12 insight into their expertise and get details and find their points and clarify before I can  
13 give an opinion on injuries and take a look at what could have caused the injuries.”  
14 (10/12/2022 Hearing Transcript page 21 line 24 as being examined by County Counsel  
15 Hanna Tavill) Although Dr. AZIZ testified that A.C.’s bilateral parietal skull fractures are  
16 due to two severe impacts that could be from abuse only, her own mentor, teacher and  
17 colleague would disagree.  
18  
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23

24 97. The NAT Workup guidelines are clear that a differential diagnosis should be  
25 explored for bleeding disorders and metabolic bone disorders as they can mimic non  
26 accidental traumas Per CDEM guidelines, “If there is concern of an underlying disease  
27  
28

1 state that may be mimicking abusive injury or contributing to the injury findings, consider  
2 work-up for bleeding disorders or bone disorders. This usually involves consultation by  
3 inpatient or subspecialty services. Other tests which may be ordered by inpatient providers  
4 include: fibrinogen, von Willebrand factor, platelet aggregation studies, clotting factor  
5 assays, hepatic transaminase, amylase, lipase, toxicology screen, urinalysis, renal and  
6 electrolyte panel, calcium, alkaline phosphatase, phosphorus, albumin, parathyroid  
7 hormone levels.(7)” A.C. almost hits all markers for metabolic bone disease and bleeding  
8 disorders Diagnosed with Von Willebrand and Thrombocytosis in February of 2022,  
9 abnormal alkaline phosphatase, phosphate, platelets, Vitamin D, and abnormal Intact  
10 PTH response while admitted at LLUCH A.C.’s Amylase and Lipase were lower than  
11 normal values, whereas high values are found in trauma to the torso.  
12

13  
14  
15 98. E.C.’s tests revealed abnormal calcium and alkaline phosphatase indicating  
16 metabolic bone disorder and she would also have a high prothrombin time and high  
17 platelet value indicating a bleeding disorder E.C.’s Amylase and Lipase were normal  
18 signifying no trauma to the torso Dr. Aziz and Dr. JACOBSON did not check E.C.’s  
19 Vitamin D level nor did she reevaluate E.C.’s rib fractures once it was proven that similar  
20 findings in Athena turned out to be normal variants and not rib fractures at all.  
21

22  
23 99. Based on MONGER’S report dated on 08/04/2022, that ratify by WILLIAMS  
24 when he, or his agent, signed each and every report author by MONGER that said  
25 “children assessment center (CAC) report which stated the father NICK, hit the minor  
26 with his hand and cries a lot” however A.A. clearly states in the interview he did not  
27  
28

1 witness such lie, as the interviewer DOMINGUEZ state it at the evidentiary interview  
2 report dated 11/22/2021,saying, “brief summary, A.A. did not disclose physical abuse nor  
3 did he disclose witnessing such abuse”  
4

5  
6 100. Two hours of visit were terminate when SIPIN file a report with fabricate  
7 statement regarding nude pictures (WHICH he was not) NICK and the CLAUDIA help  
8 the kids make a birthday card for NICK. Among other things, that ratify by RIOS when  
9 she, or his agent, signed each and every report author by SIPIN.  
10

11  
12  
13 101. ROACH fail perform her duties of care to the children when she fail to provide  
14 continuing of care, or by the doctors, by not taking the children to the genetic specialist,  
15 appointment/referral that were by the children treating physician. that ratify by  
16 WILLIAMS when he, or his agent, signed each and every report author by MONGER.  
17

18  
19 102. LOPEZ did not investigate any of the allegations and literally copy and  
20 incorporating HART fabricate statements. Ratify by DOUNG when he, or his agent,  
21 signed each and every report author by LOPEZ.  
22

23  
24 103. LEE having the medical records of the children, and not making sure to review the  
25 related matters that CLAUDIA and NICK shared with her, and notifying the court and  
26 the social workers who were in charge of children, she failed to provide health follow-up/  
27  
28

1 referral for A.A., A.C., E.C, E.D.C.  
2  
3  
4

5 104. NICK, arrested and being the victim of QUEZADA, YOUNG AND SHERIFF  
6 who, without evidence of the accusations, separated him from his family, arresting him  
7 and sending him to a detention center, however NICK was exonerated from the charges  
8 by the prosecutor.  
9

10  
11 BACKGROUND REGARDING FAMILIAL BONE DISEASE  
12

13 105. For practical purposes we begin the narration of the events with the Mexican  
14 citizen LINA ORTEGA, who was born in the early years of the last century. LINA was  
15 born with a bone disease that did not allow her to develop her height, since she was very  
16 small, less than 1.40 meters (4.6 feet). In adulthood, LINA was very fragile in her  
17 physical composition, and her spine became deformed until her upper body was facing  
18 the ground.  
19

20 106. Dr. Aziz wrote a forensic Report for both E.C. and A.C. separately. After Athena's  
21 lab work came back abnormal indicating metabolic bone disease, Dr. Aziz went through  
22 and created her own reference ranges outside the pediatric norm on her report to make  
23 Athena look like she didn't have any of the "metabolic bone disease" or "bleeding  
24 disorder" markers. This also includes the false note of "Within Normal Limits for age" to  
25 the forensics report regarding Athena's Vitamin D levels. Above 20 ng/mL is the correct  
26  
27  
28

1 lowest range for a newborn. The LLUCH medical report shows 11 ng/mL as low and the  
2 Pediatric Intensive Care Unit (a team of pediatric specialists) started treating A.C. right  
3 away with Vitamin D. Vitamin D wouldn't have been prescribed unless it was truly low  
4 and could easily be attributed to what caused Athena's fractures. This is a completely  
5 unethical adjustment by Dr. Aziz.

6  
7 107. This not only shows backtracking due to a lack of a differential diagnosis workup  
8 but that Dr. Aziz knew which values would disprove her assessment so she starts to  
9 manipulate the report. What's truly disturbing is this starts the pattern of every lab test  
10 and bone scan/imaging used to rule out genetic/congenital blood and bone disorders  
11 (which are notorious for mimicking child abuse) has had some manipulation or  
12 exaggeration through notations by Dr. Aziz to cover her lack of due diligence. In one of  
13 the most obvious displays of Dr. Aziz's failure to cover herself, she forgets to change  
14 E.C.'s forensic report "normal ranges" to her new tailored normal ranges exclusively  
15 used for Athena. Athena's LLU PICU 10/16/2021 Results, Athena's Same LLU PICU  
16 10/16/2021 Results with Dr. Aziz's "Changes" Forensic Report Page 8.

17  
18 108. The NAT Workup guidelines are clear that a differential diagnosis should be  
19 explored for bleeding disorders and metabolic bone disorders as they can mimic non-  
20 accidental traumas  
21  
22  
23

24  
25 27. LINA gave birth to a daughter named MARGARITA AYON, also Mexican, who  
26 inherited her mother's physical and bone deficiencies. MARGARITA, like LINA, was  
27 very small in size, and she was also physically fragile. Her spine also began to deform at  
28

1 an early age but was not as deformed as her mother, as she was treated by doctors who  
2 delayed bone deformations with orthopedic devices, nutritional supplements and  
3 medicines.  
4

5 28. MARGARITA gave birth to VICTORIA MOLINA, also Mexican, who, like her  
6 mother and grandmother, was born and grew up very small. VICTORIA inherited the  
7 bone diseases characteristic of her family. VICTORIA broke her bones easily, just from  
8 carrying heavy things. Furthermore, she developed ANEMIA throughout her life,  
9 permanently. The anemia that VICTORIA develops is caused by blood being created in  
10 the bones, and VICTORIA's bones are of poor quality, just like her ancestors.  
11  
12  
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15 29. VICTORIA gave birth to FELIPA who died as a child, for reasons unexplained at  
16 the time. She also gave birth to ADAN who also died due to fractures and notable  
17 deformations in the skull. VICTORIA also had more children, most of whom have  
18 developed pathological fractures in the skull, which are noticeable in the X-ray studies  
19 that have been performed. One of these sons of VICTORIA is CESAR SANDOVAL who  
20 since childhood developed pathological fractures in the skull, and today (2023) suffers  
21 from a bone-degenerative process that began at an early age.  
22  
23  
24

25 30. CESAR married his first cousin CLAUDIA MOLINA who was the daughter of  
26 PEDRO MOLINA, Brother of VICTORIA MOLINA (That is, the great-grandmother and  
27  
28

1 grandmother, LINA and MARGARITA are in common, for both CLAUDIA MOLINA  
2 and CESAR SANDOVAL).

3  
4 31. CESAR SANDOVAL and CLAUDIA MOLINA procreated CLAUDIA  
5 SANDOVAL, who also, like her ancestors, was born with bone problems; and she has  
6 permanently developed ANEMIA, which, like her family and ancestors, is caused by  
7 poor bone quality.  
8

9  
10 109. A parade of doctors ,fellow and residents asked the parents questions about what  
11 had happened to A.C.. The answers for everyone were the same: "A.C. comes from a  
12 family with genetic problems in the bones, her older sister E.C: presented similar  
13 symptoms, and the reason for bringing her to the hospital is because a new symptom  
14 appeared in the eye". It is very important to note that none of those who treated A.C. at  
15 the LLUCH were qualified to provide medical care for an issue as complex as A.C. was  
16 facing at that time. Let us remember that in Long Beach a neurosurgeon attended to the  
17 case and could not give an accurate diagnosis. How would a group of students/residents  
18 and recently graduated general doctors provide correct service in a rare case, with little or  
19 no existing literature in the world?  
20  
21  
22

23 110. The results of A.C.'s skull imaging studies upon admission revealed that the girl  
24 had fractures and deformities just like her older sister E.C. And, given the ignorance of  
25 what was happening in the girl's body, the only "reasonable" hypothesis was that "these  
26 Latin parents brutally beat the girl and fractured her skull." The hypothesis of brutal  
27  
28

1 blows prevailed in LLUCH, but how is it possible that a newborn received brutal blows,  
2 similar to a crash in a car at 100 miles per hour, and that A.C. was ejected outward,  
3 breaking the windshield with the head, and crashing on the pavement with the skull, and  
4 that A.C. was still alive? And even more intriguing, how is it possible to have received  
5 brutal blows like those they thought without having even a scratch, bump, bruise or  
6 abnormality on the scalp? The hypotheses of child abuse and brutal beatings were  
7 physically and medically unsustainable and impossible. Common sense vanished in  
8 Loma Linda, leaving only a group of racially prejudiced students and doctors who  
9 ignored intelligence and based their reasoning on skin color and appearance.  
10  
11  
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15 111. A.C. and her parents were victims of a hospital, surrounded by students and  
16 inexperienced doctors who formulated hypotheses of child abuse without having any  
17 basis for this. The errors are understandable, a group of inexperienced people attended to  
18 the A.C. case, which requires very specialized knowledge, which very few doctors in the  
19 world possess. In the face of inexperience and ignorance, bad faith and the formulation of  
20 unreal stories appeared: Dr. KOMAL AZIZ, who had barely graduated as a general  
21 pediatrician, no more than 15 weeks ago, supervised by Laura Jacobson who also did not  
22 have a license or certification to rule child abuse, they ruled child abuse. How is it  
23 possible that unlicensed doctors within a huge, multi-million dollar hospital rule on  
24 medical matters for which they do not have a license? This is where error and ignorance  
25  
26  
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28



1 end, and evil, hatred and discrimination begin. And, it must be said, the system of fraud  
2 and child monetization that exists in San Bernardino County came into play.  
3

4 32. The parents were taken to a research center near the hospital for questioning.  
5 CLAUDIA and NICK's response to these interrogations was the absolute truth, the same  
6 one that many doctors and students had heard: "Nothing illegal or violent has happened  
7 with A.C. Her older sister E.C. has similar symptoms." It should be noted that by that  
8 time NICK had already gone without proper sleep for more than 3 days. Furthermore,  
9 both CLAUDIA and NICK were focused on A.C.'s health status and not on legal matters  
10 or police investigations. DETECTIVE QUEZADA took advantage of CLAUDIA and  
11 NICK's honesty and made them victims of his ministerial tactics made for criminals, not  
12 for people who act in good faith and are accustomed to respecting authority and being  
13 transparent.  
14  
15  
16

17 33. It is evident that AZIZ, did not have the experience to treat A.C.'s medical case,  
18 because she had no knowledge or licenses in medical genetics, traumatology, rare  
19 diseases, nor in child abuse. The hypothesis that AZIZ communicated to QUEZADA  
20 about brutal beatings was simply ridiculous. Brutal blows that do not leave any marks on  
21 the skin, only on the bones? Faced with this same dilemma was the social worker named  
22 SHANNAE HART, ssp. Both police officer QUEZADA and social worker SHANNAE  
23 HART did not see physical signs of violence on A.C.'s skin, but they heard AZIZ saying  
24 that the minor had received beatings or brutal abuse. AZIZ's diagnosis was not  
25 compatible with the reality that was visible to the naked eye. Four inexperienced people  
26  
27  
28

1 got together: AZIZ, GRANT, QUEZADA and HART. AZIZ's inexperience was evident  
2 in not identifying what was really happening medically with A.C. The inexperience of  
3 QUEZADA and Hart was evident when they did not investigate the doctor who spoke of  
4 child abuse and brutal mistreatment of a newborn girl when there was no external  
5 evidence. If QUEZADA and HART had done what was logical and what the visual  
6 evidence clearly showed, they would have investigated AZIZ, and found that AZIZ was  
7 not licensed to diagnose child abuse.  
8  
9

10 34. The DETECTIVE QUEZADA, YOUNG and social worker HART, believed  
11 AZIZ's and GRANT version, who had a doctor's coat, without investigating anything at  
12 all about her and him, blaming CLAUDIA and NICK whose version was more attached  
13 to the evidence that their eyes saw. These attitudes of AZIZ, GRANT, QUEZADA and  
14 Hart, of judging people by their origin and appearance, and not based on evidence, are  
15 called racism and discrimination.  
16  
17

18 35. Not only does LLU, LLUCH, LLUHC, put students and inexperienced people to  
19 care for children, San Bernardino County also hires and puts in charge of sensitive things  
20 inexperienced police officers and social workers who are not capable of objectively  
21 analyzing what they observe. Did QUEZADA and Hart know the protocols to  
22 determine NAT, when a fracture is the result of blows and when it is caused by biology?  
23 How is it possible that public servants who deal with children's cases do not know such  
24 basic things  
25  
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1 36. As a result of so much ineptitude, hate and negligence at the LLUCH and in San  
 2 Bernardino County, CLAUDIA lost custody of her children right there at the hospital, on  
 3 October 17, 2021. HART arrived at 2:50 am with ssa Christian and deputy Maldonado,  
 4 hart told CLAUDIA "that they were there to take the kids and that she need to get out of  
 5 the hospital LLUCH because nick have confess". NICK, that same day he was also  
 6 arrested and charged with the serious criminal charges that AZIZ diagnosed. That is,  
 7 NICK did not return to the hospital next to his daughter, and was taken to a detention  
 8 center accused of brutally beating A.C. and endangering the life of his daughter. Both  
 9 CLAUDIA and NICK were inhumanly punished by being separated from their children.  
 10 NICK, arrested and being the victim of a police officer who, without evidence of the  
 11 accusations, separated him from his family, arresting him and sending him to a detention  
 12 center. For both of them, this has represented the greatest pain they have experienced in  
 13 their lives, perpetrated by authorities who are inexperienced and do not have the slightest  
 14 empathy towards honorable people.

**FIRST CLAIM FOR RELIEF**

**JUDICIAL DECEPTION**

**(All Plaintiffs Against All Social worker Defendants, and AZIZ, GRANT, QUEZADA,  
 YOUNG and HART)**

**Count 1: (Fourth and Fourteenth Amendment Violations)**

1. Plaintiffs hereby incorporate by reference all other paragraphs of this Complaint as if set out in full.
2. At all times relevant herein, there existed a clearly established due process right of

1 individuals, including Plaintiffs, to not to be subjected to false accusations by government  
2 officials, including the deliberate presentation of false or perjured evidence, and/or by the  
3 suppression of exculpatory information in court proceedings or in documents submitted with  
4 recommendations or requests made to the court. Any reasonable social services agent and/or  
5 government agent in **ALL SOCIAL WORKER DEFENDANTS, and AZIZ, GRANT,**  
6 **QUEZADA, YOUNG and MALDANADO** and DOES 1-20 would know that it is a  
7 fundamental due process violation to lie, exaggerate, fabricate evidence, and/or  
8 suppress material exculpatory evidence in court reports and other documents  
9 filed with the Juvenile Court.

10  
11 3. In fact, Social worker Defendants along with AZIZ and QUEZADA and  
12 DOES 1 through 20, inclusive and each of them, had the affirmative and self-  
13 evident duty and obligation to be truthful, honest, accurate, and complete in  
14 petitions, reports, and documents submitted and/or presented to the Juvenile  
15 Court which had the power to adjudicate substantial rights, including parental  
16 rights. Defendants also had an affirmative obligation and duty to refrain from  
17 using improper, unlawful, and deceptive means to obtain judicial order  
18 ssustaining and/or adopting social worker recommendations or otherwise seeking  
19 to denigrate Plaintiffs' well-established liberty interests in familial integrity and  
20 continued familial association.

21 4. At all relevant times, Defendants and DOES 1 through 20, and each of  
22 them, were acting under color of law, and within the course and scope of their  
23 official duties when they drafted, created, approved, and/or filed documents with  
24 the juvenile court.

25 5. Defendants and DOES 1 through 20, and each of them, either singularly or  
26 jointly acted and/or agreed to deliberately and/or recklessly present false  
27 statements and information, and/or omitted known exculpatory material  
28

1 information when creating their various documents for presentation to the  
2 Juvenile Court, as alleged herein above. This conduct, i.e., Defendants'  
3 knowingly deceptive presentation of "evidence" to the Juvenile Court, caused the  
4 children's detention and/or prolonged detention from their parents care, custody,  
5 and/or control.

6  
7 6. Had it not been for Defendants and DOES 1 through 20's reckless and/or deliberate false  
8 statements and/or omissions of exculpatory material in the Removal Warrant  
9 Application, the Juvenile Court would not have issued a Removal Warrant for  
10 the children.

11 7. Had it not been for Defendants and DOES 1 through 20 reckless and/or deliberate false  
12 statements and/or omissions of exculpatory material in the Juvenile Dependency Petitions,  
13 Detention Report, Jurisdiction/Disposition Report, and/or other reports filed in the Juvenile  
14 Court, the Juvenile Court would not have adopted Defendants' recommended findings, and  
15 the children's continued and/or prolonged detention would not have occurred.

16 8. As a direct and proximate result of these Defendants and DOES 1 through  
17 20's reckless misconduct, the plaintiffs have suffered, and will continue to  
18 suffer, general and special damages according to proof at trial, including but  
19 not limited to, physical manifestations of emotional distress, and/or mental  
20 anxiety and anguish, among other things.

21 9. Due to the malicious, wrongful, and despicable nature of the Defendants and  
22 DOES 1 through 20's misconduct, as herein alleged and described above,  
23 Plaintiffs are entitled to recover punitive damages against the individual  
24 Defendants, and each of them, in accordance with law and subject to proof at  
25 trial.

26 Count 2: (First Amendment Violations).

27 37. Plaintiffs realleges, and to the extent applicable, incorporates herein as if  
28

1 set forth in full, Paragraphs 1 through 147. 144. At all times relevant herein, there  
2 existed a clearly established first amendment right protecting cohabiting siblings  
3 from unwarranted government interference in their relationship. Any reasonable  
4 social services agent and/or government agent in Defendants' situation would  
5 know that Plaintiffs enjoy this constitutional right.

6  
7 38. At all relevant times, Defendants and/or DOES 1 through 20, and each of  
8 them, were acting under color of law, and within the course and scope of their  
9 official duties when they drafted, created, approved, and/or filed documents with  
10 the juvenile court.

11 39. Defendants and/or DOES 1 through 20, and each of them, either singularly  
12 or jointly acted and/or agreed to deliberately and/or recklessly present false  
13 statements and information, and/or omitted known exculpatory material  
14 information when creating their various documents for presentation to the  
15 Juvenile Court, as alleged herein above. This conduct, i.e., Defendants' knowingly  
16 deceptive presentation of evidence to the juvenile court interfered with and/or  
17 severed Plaintiffs right to familial association.

18 40. Had it not been Defendants and does' 1-20 deliberate false statements and/or  
19 omissions of exculpatory material in the Juvenile Dependency Petitions,  
20 Detention Report, Jurisdiction/Disposition Report, Ex Parte Application, Status  
21 Review Report, and/or other reports filed in the Juvenile Court, the Juvenile  
22 Court would not have adopted Defendants' recommended findings, and Plaintiffs  
23 would not have been deprived of their association and/or relationship with their  
24 children.

25 41. As a direct and proximate result of these Defendants and DOES 1 through  
26 20's reckless misconduct, the plaintiffs have suffered, and will continue to suffer,  
27 general and special damages according to proof at trial, including but not limited  
28

1 to, physical manifestations of emotional distress, and/or mental anxiety and  
2 anguish, among other things.

3 42. Due to the malicious, wrongful, and despicable nature of the Defendants  
4 and/or DOES 1 through 20’s misconduct, as herein alleged and described above,  
5 Plaintiffs are entitled to recover punitive damages against the individual  
6 Defendants, and each of them, in accordance with law and subject to proof at  
7 trial.  
8

9  
10 **THIRD CLAIM FOR RELIEF *MONELL* RELATED CLAIMS FOR**  
11 **FAILURE TO PROTECT FROM HARM/STATE CREATED DANGER (By All**  
12 **Plaintiffs against COUNTY)**

13 1. Plaintiffs incorporate paragraphs 1 through 184 as though fully set forth herein,  
14 and allege that the policies, customs, and practices, and/or non-existent or  
15 inadequate training described herein above in all proceeding paragraphs  
16 generally and as having occurred in the juvenile dependency cases cited in said  
17 paragraphs, which same policies, customs, and practices, and/or non-existent or  
18 inadequate training were a moving force in the violations complained of herein  
19 above with regard to these Plaintiffs’ constitutional rights.  
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21  
22 2. Plaintiffs allege these policies, practices, customs and training related issues  
23 make the COUNTY itself liable for the actions of the individually named social  
24 worker Defendants, and Plaintiffs seek to hold COUNTY liable thereon by this  
25 Complaint under the theory of law set forth in *Monell v. Dept of Social Services*,  
26  
27

1 436 U.S. 658 (1978) and its progeny.

2  
3 3. The polices, practices, customs, and/or the non-existent or inadequate training  
4 of COUNTY social workers such as the individually named defendants, were  
5 the moving force behind the unlawful removal of children without parental  
6 notice, consent, or opportunity to attend medical appointments, assessments or  
7 treatments during hospitalization, and the repeated making of false  
8 representations, submission of misrepresentations, and omissions of exculpatory  
9 information to the juvenile court during the juvenile dependency proceedings  
10 involving the minors.  
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13 **PRAYER FOR RELIEF**

14  
15 WHEREFORE, Plaintiffs pray for judgment against Defendants, as  
16 to all causes of action, as follows:  
17

- 18 1. Plaintiffs demand a jury trial as to the issues so triable;  
19  
20 2. General, compensatory and special damages according  
21 to proof;  
22  
23 3. Award Plaintiffs punitive damages against individual  
24 Defendants, as allowed by law for their extreme and outrageous conduct in  
25 complete disregard for the rights of the Plaintiffs, which punitive damages are  
26 not sought by law as against the County;  
27 4. Award Plaintiffs statutory damages and/or attorney's fees against all  
28 Defendants as allowed by 42 U.S.C. §1983 and any provision of state or federal  
law allowing for awards of damages and/or attorney fees;



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- 5. Costs of suit incurred herein; and
- 6. Grant Plaintiffs further relief as the Court deems just and proper.

Dated: October 17, 2023

          /s/  /c/            
 Claudia Sandoval ,Nick Castaneda