

# GROSS Miscarriage of Justice

Eldorado County Superior court of California

This is the case SHARONOFF - that's me  
against the system in place. I was arrested for murder  
of a person at the time was known as Otto.

I was put in a cop car for 3 hours. I begged  
Officers to allow me to use bathroom to  
relieve myself. The officers ignored me and  
I had to defecate in my clothes. I was then  
taken to a station and tolled for 7 hours. Here  
and why I shot AKA "Otto" in the head and to confess.

at the end of 7 hours Detective H - threatened  
to kill my goats if I did not confess to shot AKA  
Otto in the head with cap'n ball revolver handgun.  
I was then taken to jail after confessing & allowed

a shower and medication for rash from being so long  
in soiled clothing. During the trial I found out  
the victim was not shot in the head a foot  
away as AKA "Cody" testified numerously

I tried to Petition Habeas Corpus after received  
court record of trial proceedings that court in response  
to Petition for discovery Orderd Attorney General  
to send Notice of loged documents April 25 2013  
IN Listed Items of loged documents was court recorder  
transcript of trial Proceedings from there in is -

TURN  
Over Page 2

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the recorded testimony's and Statements made by Prosecutor that constitute illegal action's by Prosecutor such as his personal knowledge not as witness cause he was Not Present during murder or reciting another person's testimony, Prosecutor as Quote "I want you - the Jury - to understand Sharonoff Killed - Victim's Name - it was his Gun other people seen him with. He wanted his cross bow back."

The above statement is recorded on Page 955 of Stenographer CSR 8336 transcribed accounts of Sharonoff's trial case P10 CRF0036 phone (530) 573-3094 for copy's or Electronic down load is Public Info. The Above statement by Prosecutor Under Statute § 125 UNQualified statement is any statement made by a person could not know to be true is equal to knowingly making a false statement. This is a violation of Public Justice. The fact Prosecutor was not witness or reciting another witness testimony is Proff of Personal Statement. The evidence in support of charge against Prosecutor and there by basis of Violation of Public Justice see Page 3

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The testimony of Prosecutor's Expert from Dept of Justice tested The rifling marks of the Gun Claimed to be murder Weapon against bullets recovered from Victim body intact with markings and could not determine a match - Its only reasonable that since the Gun dose not match the bullets he cannot know as a fact that Gun is the murder weapon Yet that is the statement The prosecutor made in Sumation before Jury. I tried to get my defence attorney to do something about it she said Not to worry you cant be convicted without being proven Guilty beyond a reasonable Doubt. - The Jury was tolled/asked to find 'S' Guilty'. By Prosecutors illegal & UNQvallified Statments pertaining to the Gun being Sharonoff's and also in disregard of expert testimony that the very same Gun did not match the bullets that killed the victim yet claimed it to be the murder weapon. Bolstered by his personal knowledge when Prosecutor stated "I" that makes it undeniably his personal knowledge in statement unrefuted by Defence attorney I, A.C. and allowed by Judge without correction more than likely Jurors relied on illegal misrepresented facts and evidence resulting in Guilty Verdict to 2nd degree murder from which I was sentenced to 10 years plus 70 to life including enhancements. My Appellate attorney Never had the transcript of trial as it was not in my file. The only Item's in my file was a transcript of prelim hearing & remero motion - this is basis of Ineffective assistance of Counsel on appeal due to the fact. It is reasonable to expect bare minimum of a professional attorney to at least acquire addi. Qu't record of trial in order to examine the procedure's resulting in conviction - See page 4 ->

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and thereby discern whether or not the prosecution was legal and ethical. If its not then there is important Grounds for retrial & or a Quittal Without the record of trial there is no way to form a basis of a miscarriage of Justice that would win an appeal. There for the appellate attorney could only make a Frivolous direct appeal that was finalized may 9th 2012. Attorney only sent me what was in my file even though Im not an attorney I recognized that a record of trial was necessary for refuting the corrective or ability to discern if and what actions in court procedure more than likely acted on the framework where any or actually Innocent person would be found Guilty and base any Allegations that are supportable by the record and not just my own belief or wishful thinking such as its against the law to convict a person with false testimony. In this case anyone who reads Prosecutors Key or so called Eye witness AKA "Cody" testified several times that he clearly seen Sharonoff put the very same gun presented as murder weapon upto Victims head and shot Victim dead-This although he may truly believe he seen S murder. The hard undeniable facts proven by Prosecutor expert in forensic autopsy of Victim was Never shot in head no soot or stippling on body means Victim could not have been murdered as "Cody" testified and the physical condition of actual wounds are Contrary to Prosecutor theory of Gun dipping to cause actual wounds. Due to the fact the actual wound or path of Bullet through victim body is horazontial. For The evidence to support Prosecutor theory of Gun dipping the actual path through Victim body on 1st shot- See Page 5

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Would have to be from hi point (head area) to low point chest - that is, what is called Vertical Path - That Path dose not exist in first shot is clearly Horizontal / goin left to right See for your self its Public record by independant Source - the stenographer! Yet the Superior Court along with supreme court and third appellate Court all a gree that this is JUST my

Imagination and sence my Habeas Corpus was unclear and considered untimly. Due to the fact my direct appeal was finalized may 9 2012. I exceeded the 1 year time limit see Statute § 2254 inactel (1996). To file my Habeas corpus because the only items in my file that my appellate attorney had to send me was a prelim hearing, transcript, and Romero motion I had to, Petition the court for discovery.

The court on April 25 2013 orderd the attorney General to Notice of lodged Documents listed therein was the trial transcripts that was sent June 7 2013. Therefor I did not have adiguate time of 1 year and 90 days to search record and cross reference law in order to raise legal & constitutional Issues in timly manor. INRE

Due proses and in order to exhaust State remedies in timly manor & was not my fault court & GA delayed release of copies that are the pertenate exceruoft of court reporter record where in Grounds, if true entitle me relief. NOW The court will not even

Look at any of my attempts even though they inform me of Corrections that need to be made But when I make them and try to resubmit they denied me for being second or Successive see Page 6 →

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I am not a attorney and I don't understand how a prima facie case is stated or what one looks like. I was under the understanding and example given in Form HC-001. All I'm supposed to do is raise claims if true would entitle me to relief. Yet Eldorado Superior Court denied me when I raised grounds of Judicial & Prosecutor misconduct and trial attorney ineffective assistance in failing to be an adversary to prosecutors illegal actions & statements he could not know to be true like the gun was Sharonoff's and killed the victim with it he was not there when victim was killed and the gun did not and can not be matched to bullets recovered from victim body therefore Prosecutor violated Statute §125 and see Prosecutor misconduct of misrepresentation of fact the gun cannot be murder weapon because it cannot be matched to the bullets that killed victim and by law prosecutors cannot introduce theories that are supportable by evidence. The Judge is not supposed to allow prosecution to present the gun as murder weapon without proving beyond a reasonable doubt & the Judge is not supposed to allow personal knowledge when he stated "I want you to understand he killed Otto it was his gun - It's also should be considered that he's asking the jury in same context to simply just vote guilty cause that's all the circumstance evidence necessary to convict murder 1st Degree - it's only after many months did the jury compulsion to do as prosecutor requested. Without truly weighing the evidence vs contrary testimonies of Prosecutor key witness and only witness suggesting Sharonoff is killer's code." see PAGE 7

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At one point in trial the Judge on page 962 stated that the Prosecutor's statements were confusing jurors and contrary to jury instruction. The Judge distracted by bailiff's note resumed the court without correcting the jury on every statement that was contrary to the instruction like when the Prosecutor stated "it's not about what the experts say." This is contrary to jurors instructed they must weigh expert evidence against witness statements. Because most of the prosecution's experts like the forensic doctor and the Dept of Justice Lab test results show NO conclusive or supportive evidence exist in this case for conviction or prosecution. NO DNA NO Finger prints and at one point the Prosecutor stated Sharonoff was known to be on the other side of the gate because it was locked and there was an unpassable perimeter of barbed wire, manzanita bushes and junk piled up around the victims' camp because the SWAT team commander testified NO one could get to the victim until he cut the lock and chain off the gate so they could open the gate. It should be noted that I was not found inside the gate on the night of the murder nor was there a shoe print or any evidence to be matched. So how could it be known Sharonoff was on the other side of the gate with NO evidence to support such a claim? Another misrepresentation of a fact the jury was allowed to deliberate believing that because the gate was locked and had to be opened by SWAT when they cut the lock and chain off is proof Sharonoff was on the other side of the locked gate with the victim and so must be the killer as "Cody" said so. Yet if you read police reports days after the murder see page 8 →

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PAGE 8 Sheriff went to crime scene and at a non disclosed point past or before the Gate that was locked clearly stated they cut down manzanita bush and removed barb wire and other debris - This created a Hole and path that did not exist on night of murder Yet Jury was walked through the Hole as if Sharonoff could have on night of murder - this is manufactured evidence I tried to object and was removed from Group Jury my Attorney did nothing but suggest that it was improper for Prosecution to step on top of one strand of barb wire close to Ground so Jury could walk over and through Hole IF attorney impeached "Cody's" false testimony and impeached the Gun Presented as Sharonoff's with no supportive evidence just that other people said that looks like the Gun that is Sharonoff's is not sufficient when undeniable evidence Gun is not registered to Sharonoff NOT stolen NO Finger prints NO DNA absolutely NO conclusive evidence The Gun was possessed by Sharonoff as Gun was found in a wooded area a Football field away from Sharonoff camp and Sharonoff does not own property that Gun was found on even Tommy Aldecich witness for Prosecution testified Cody admitted to be the one that hid the Gun with "S" that was found 3 days after a person named Thearsa who testified to paying Cody a unspecified amount of money to "Cody" to produce the weapon Its only reasonable "Cody" had to possess the Gun in order to hid the Gun where he found the Gun. Concern Citizen's need ask why & How is it that Sharonoff was convicted for possession - see page 9



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A Person Convicted of Murder in any degree is wrong  
When there is no substantive evidence.  
Therefore Due Process of law is violated as collectively  
These actions make's trial unfair and a Violation Due  
Process of law in tottle disregard of the Federal  
Constitution of the united States and even  
the California Constitution has its equivalent to  
US Amendment V (1791) Please someone Help  
me as I have tried to Petition for resentence  
Due to New law Passed SB-1437 to supreme  
Court and then district court. I was denied as  
untimly and successive. I pointed out that  
I could not be untimly as 1437 has No set  
time limit to file and could not be successive  
because this was the first Petition made when  
New law came into effect. The Clerk Just  
Sent Back my Plea for review stating case  
is closed. If they can do this to me  
They can do this to you. Please Help  
me I have NO money or family or any support  
I need a Post conviction attorney or attorneys  
to Get into the Judge face with a Petition that  
can't be Summary denied and Public should  
know Im legally innocent = actually innocent  
Yet Judge Sentenced 10 years plus 70 to life  
with enhancements and has charged the taxpayers  
50,000\$ a year for the last 10 years as of Sept 30.  
I was subjected to a brutal and visious Attack by  
inmate that broke my leg and anckel. I have  
a 7 inch rod and 6 pin's holding me together I  
can not run Jump or carry more than 20 lbs  
due to injury resulting from my illegal  
incarceration - write to the Gov for my release  
Help me Please somebody.