

1 Zachary and Angela Minor
2 Plaintiffs, appearing in pro per



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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10
11 **ZACHARY AND ANGELA MINOR,**
12 Plaintiff,

Case No.: 2:25-cv-02592-TLN-CKD
(PS)

13 vs.

14
15 **JESSIE FLORES, IN HIS**
16 **INDIVIDUAL CAPACITY;**

**PLAINTIFFS' MOTION TO LIFT
STAY AND FOR LEAVE TO FILE
AN AMENDED COMPLAINT**

17 **AMANDA MARTINEZ, IN HER**
18 **INDIVIDUAL CAPACITY;**

Case No. 2:25-cv-02592-TLN-CKD

19 **DOE DEFENDANTS 1-20,**
20 Defendants

21
22 **INTRODUCTION**

23
24 1. This is a civil-rights action under 42 U.S.C. § 1983. Plaintiffs do not complain
25 that they were investigated or prosecuted. They complain that government investigators,
26 acting under color of state law, deliberately fabricated material statements in an official
27 criminal-referral package, omitted the only complete, verbatim contemporaneous
28

1 recording of the interview that Martinez summarized and materially relied upon in the
2 referral, made deliberate false statements about the existence and custody of that
3 recording, and thereby tainted the information on which charging decisions were made.
4

5 2. Defendants' conduct deprived prosecutors of the opportunity to independently
6 evaluate Plaintiffs' interview before criminal charging decisions were made. Due process
7 protects individuals from criminal charging decisions that are materially influenced by
8 deliberately fabricated investigative information or by the deliberate concealment of
9 material evidence by state investigators.
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12 3. On September 28, 2022, Defendant Amanda Martinez interviewed Plaintiffs.
13 Napa County Investigator Robert Yeager recorded the interview—the only complete,
14 verbatim contemporaneous recording of what was said. No transcript existed. At
15 Martinez's request, Yeager transmitted the audio file to her via Dropbox the same day.
16 Martinez confirmed receipt, accessed the recording, and used information derived from it
17 in a criminal-referral report that Defendant Jessie Flores approved in February 2023.
18 Martinez never provided the recording itself to prosecutors. Because prosecutors were not
19 provided the recording or any complete contemporaneous transcript, Martinez's written
20 characterization became the principal contemporaneous account through which
21 prosecutors evaluated what Plaintiffs had said during the interview.
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26 4. After the recording was recovered in August 2025, Plaintiffs compared it with
27 Martinez's written summary (pages 97–104 of the referral materials). The comparison
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1 revealed affirmative statements attributed to Plaintiffs that do not appear in the recording,
2 material alterations that changed the meaning of recorded exchanges, and removal of
3 clarifying and exculpatory context.
4

5 5. Plaintiffs expressly disclaim any intent to challenge, overturn, or imply the
6 invalidity of Zachary Minor’s separate licensing-misdemeanor disposition under Business
7 and Professions Code section 7028.16. They seek damages solely for independent
8 investigative misconduct that caused constitutional injury separate from the validity of
9 that disposition. See *Heck v. Humphrey*, 512 U.S. 477 (1994); *Poventud v. City of New*
10 *York*, 750 F.3d 121 (2d Cir. 2014) (en banc); *Lemos v. County of Sonoma*, 40 F.4th 1002
11 (9th Cir. 2022) (en banc).
12
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15 6. Any reasonable investigator would have known that deliberately inserting false
16 statements into an official referral, omitting the only complete, verbatim
17 contemporaneous recording after having requested and used it, and repeatedly lying about
18 its existence and custody violated clearly established constitutional rights. See *Devereaux*
19 *v. Abbey*, 263 F.3d 1070 (9th Cir. 2001) (en banc). Martinez’s own duty statement
20 warned that failure to conduct investigations according to Board procedures could cause a
21 miscarriage of justice and harm to the contractor. Plaintiffs do not ask this Court to
22 adjudicate a “miscarriage of justice” as a criminal-law conclusion. They allege the duty
23 statement as evidence that Defendants understood the risk of harm from investigative
24 falsehood and concealment.
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1 **I. JURISDICTION AND VENUE**

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3 7. This Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and
4 1343(a)(3). Venue is proper in the Eastern District of California under 28 U.S.C. §
5 1391(b).
6

7 **II. PARTIES**

8
9 8. Plaintiffs Zachary Minor and Angela Minor are natural persons residing in
10 Vacaville, California.
11

12 9. Defendant Amanda Martinez was at all relevant times a CSLB investigator and
13 peace officer acting under color of state law. She is identified by the Commission on
14 Peace Officer Standards and Training as POST ID C12-M40. She is sued in her
15 individual capacity.
16

17 10. Defendant Jessie Flores was at all relevant times a CSLB supervisor or
18 Deputy Chief of Enforcement and a peace officer acting under color of state law. He is
19 identified by POST as POST ID C86-P54. He is sued in his individual capacity.
20
21

22 11. Plaintiffs are ignorant of the true names and capacities of DOE Defendants 1–
23 20 and sue them by fictitious names. Each DOE is alleged to have acted under color of
24 state law and to have participated in or ratified the misconduct alleged.
25

26 **III. FACTUAL ALLEGATIONS**

1 ***A. False Statements and Material Omissions Used to Obtain Financial Records***

2
3 12. In or about February 2022, Martinez prepared and submitted applications
4 seeking judicial authority to obtain financial records relating to Plaintiffs and NorCal Fire
5 Repair.
6

7 13. In the probable-cause materials, Martinez relied extensively upon information
8 provided by LQD Business Finance representative George Sourì. Martinez nevertheless
9 omitted that LQD held a statutory Power of Attorney granting it authority over NorCal's
10 financial accounts, endorsements, collections, payments, and disbursements beginning in
11 August 2019. That omitted fact identified an alternative actor with legal control over the
12 financial transactions Martinez attributed to Plaintiffs.
13
14

15 14. Martinez also relied upon an alleged theft involving Marshall Scaffolding.
16 Martinez later admitted in verified discovery that the supposed Marshall theft was used in
17 the search-warrant affidavit and that she did not attempt to determine the scaffolding's
18 actual cash value. The materials used or relied upon a replacement-cost figure.
19
20

21 15. Plaintiffs plead the false statements and omissions concerning LQD's
22 financial authority and the Marshall Scaffolding allegations as further evidence of
23 Martinez's deliberate fabrication, investigative deception, intent, materiality, and
24 causation. Plaintiffs do not rely solely upon any financial institution's production of its
25 own business records as an independent Fourth Amendment injury.
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1 ***B. The Only Complete, Verbatim Contemporaneous Recording of the September 28,***
2 ***2022 Interview***
3

4 16. On September 28, 2022, Martinez interviewed Plaintiffs at the Napa County
5 District Attorney's Office. Napa County Investigator Robert Yeager recorded the
6 interview. That recording is the only complete, verbatim contemporaneous record of the
7 words, sequence, qualifications, and context of the interview. No transcript existed.
8

9 17. At the conclusion of the interview Martinez asked Yeager for the audio.
10 Yeager uploaded the file to Dropbox and emailed the link directly to Martinez that day.
11 Yeager later confirmed by telephone that Martinez received the link and the interview.
12
13

14 18. Martinez later admitted in writing that she initially accessed the recording and
15 that the February 2023 report approved by Flores included information from the
16 September 28, 2022 meeting.
17

18 19. Martinez's official duty statement required her to gather statements and
19 evidence, prepare detailed reports on a laptop computer, coordinate with prosecutors, and
20 make criminal referrals. Flores signed the duty statement after discussing the duties with
21 Martinez. Section F of that statement, titled "Actions and Consequences," states: "Failure
22 to properly conduct investigations according to Board procedures and the Contractors
23 License Law could result in miscarriage of justice, harm to the consumer, the public, as
24 well as the contractor. The liability to CSLB is great, as the functions of the person in this
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1 position include investigations that often result in a notice to appear in court, criminal
2 prosecution, and arrest.”
3

4 20. The core sequence is: Martinez requested the only complete, verbatim
5 contemporaneous recording, received it, accessed it, used information from it in an
6 official referral, submitted that referral for Flores’s approval, and never provided the
7 recording itself to prosecutors.
8

9 ***C. Specific Fabrications and Material Alterations in Martinez’s Written Summary***
10

11 21. After recovery, Plaintiffs compared the recording with pages 97 through 104
12 of Martinez’s written interview summary. The comparison revealed not merely
13 compression or differences in tone, but affirmative statements attributed to Plaintiffs that
14 do not appear in the recording, alterations that changed the meaning of recorded
15 exchanges, and removal of material exculpatory or clarifying context.
16
17

18 22. Martinez wrote that she had explained to Zachary Minor that he gave her “a
19 list of homeowners that owed him money.” The recording contains no such list and no
20 such conversation. Plaintiffs allege that Martinez inserted this statement into the official
21 summary to create the false appearance of a broader pattern involving unpaid
22 homeowners.
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24

25 23. Martinez also wrote that “[m]any of the Montgomerys’ subs alleged
26 outstanding debts from NorCal.” No such statement appears in the recording. Plaintiffs
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1 allege that this affirmative addition falsely made disputed financial allegations appear
2 independently corroborated.
3

4 24. During the Marshall Scaffolding discussion, the recording reflects that
5 Plaintiffs provided substantiation of payments and explained that Marshall had failed to
6 retrieve its scaffolding. Martinez's summary changed the discussion from "substantiation
7 that you had made payments" to "substantiation to support their claim," omitted the
8 statement that Marshall "didn't pick it up," and added that Zachary Minor said the
9 scaffolding was "coincidentally stolen." Plaintiffs allege that these alterations reversed
10 the exculpatory meaning of the recorded exchange and transformed a payment-and-
11 pickup dispute into evidence suggesting theft.
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15 25. Martinez's written summary further attributed to Zachary Minor the statement
16 that he hired unlicensed persons for trenching. The recording instead reflects that
17 Plaintiffs explained the homeowners hired those persons separately. Plaintiffs allege that
18 Martinez's version created an admission of a violation that Zachary Minor did not make.
19

20 26. During the recorded interview, Martinez acknowledged that her duties
21 included reporting information that aided Plaintiffs' defense ("My job is also the
22 exculpatory... anything that aids your defense, I'm obligated to include"). Her written
23 summary omitted that acknowledgement. Plaintiffs allege that Martinez's admitted
24 understanding of her obligation, considered with the affirmative additions and alterations
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described above, supports a reasonable inference that the discrepancies were deliberate rather than accidental.

D. Deletion, Laptop Replacement, Unaccounted-For Device, and Deliberate False Statements

27. Dropbox records show a deletion event for the audio file on February 9, 2023—three days after Martinez signed the referral.

28. In October 2024, after Zachary Minor requested the recording, an email from Sonoma County Deputy District Attorney Katy Yount reported that Martinez said her email server had automatically deleted the transmission email after two years and that Yeager said the recording was no longer on Dropbox.

29. On April 21, 2025, Martinez wrote that she “was able to access the recording initially” but that it was “gone from the link.” She directly communicated that explanation to Flores, stating that “Napa DAs office was the one that did the recording and the link is expired.”

30. On July 9 and 11, 2025, Martinez and Flores repeatedly stated that the recording was done by Napa County, not CSLB, that it had “self-deleted,” and that CSLB was not in a position to provide information. Those statements concealed Martinez’s confirmed receipt and access, the use of the recording in the referral Flores approved, and the status of any copy on CSLB equipment.

1 31. CSLB records identify Martinez’s original agency laptop as an HP 640 G4,
2 Master Tag 0021688, hostname SR10L0021688, serial number 5cg3324680, assigned to
3 Martinez in Special Investigation. That device was the CSLB equipment most likely to
4 contain electronically stored information concerning whether Martinez opened,
5 downloaded, saved, cached, or transferred the September 28, 2022 recording.
6

7
8 32. CSLB records state that service-desk staff identified as “Kengshi” replaced
9 that laptop on or about March 27, 2023 with a Dell Precision 3570, tag 00571—
10 approximately seven weeks after Flores approved the referral and approximately six
11 weeks after the February 9, 2023 Dropbox deletion event.
12

13
14 33. After a verified search, CSLB has represented that no Help Desk ticket, work
15 order, contemporaneous statement of reason, forensic image, clone, sanitization
16 certificate, destruction certificate, transfer record, or other disposition file for asset
17 0021688 has ever existed. The production documents the device’s assignment and
18 replacement but does not identify its subsequent owner, location, disposition, or date of
19 removal from inventory.
20

21
22 34. In October 2024 and again in November 2025, CSLB IT searched “your
23 computer.” Those searches were of the post-replacement Dell, not of SR10L0021688.
24 They located no 2022–2023 copy of the recording except later material associated with
25 the August 2025 recovery.
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1 35. Defendants have objected that Yeager’s confirmation of receipt or download
2 is hearsay or lacks personal knowledge of what resided on CSLB equipment. Plaintiffs do
3 not rest the existence of a CSLB-side copy solely on Yeager. They allege that the original
4 laptop was the independent, machine-level source from which download, access, or non-
5 access could have been determined. Defendants’ inability to produce the device or any
6 image of it is therefore not a collateral records dispute. It is the disappearance of the only
7 CSLB source that would resolve the objection they themselves raise.
8
9

10 36. Plaintiffs do not plead a standalone state records-management claim in this
11 action and do not sue CSLB or DCA here. They allege the missing device, the absence of
12 any identified image or disposition record, and the searches of only the successor
13 computer as evidence of concealment, intent, and Flores’s post-notice failure to examine
14 the one machine that could test the official narrative.
15
16

17 ***E. Recovery, Comparison, and Dismissal of Charges***
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19 37. In August 2025, after repeated public-records requests and prelitigation efforts
20 by Plaintiffs, the deleted audio was forensically recovered from the original recorder.
21

22 38. Recovery of the recording permitted Plaintiffs, their defense counsel, and the
23 prosecution to compare Martinez’s written characterization of the September 28, 2022
24 interview against the interview itself for the first time. That comparison revealed
25 affirmative statements not made during the interview, material alterations of what
26 Plaintiffs said, and omissions of clarifying and exculpatory context.
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1 39. After the recording was recovered and disclosed, the court permitted Zachary
2 Minor to withdraw his earlier felony plea. Once the recording and Martinez’s written
3 summary could be compared, the prosecution agreed to dismiss every financial, theft,
4 diversion, elder-abuse, and related felony charge against Zachary Minor before
5 preliminary hearing and to dismiss Angela Minor’s entire criminal case.
6

7
8 40. The direct sequence—recovery and comparison of the recording, withdrawal
9 of Zachary Minor’s felony plea, dismissal of every financial and felony charge against
10 him, and dismissal of Angela Minor’s entire case—supports a reasonable inference that
11 the recording and the discrepancies it exposed were material to the dismissed charges.
12 Plaintiffs plead this sequence as circumstantial evidence of materiality and causation, not
13 as a challenge to Zachary Minor’s separate licensing-misdemeanor disposition.
14
15

16 ***F. Flores’s Personal Participation and Causal Responsibility***
17

18 41. Plaintiffs do not seek to hold Flores liable under respondeat superior or
19 merely because he supervised Martinez. Plaintiffs seek to hold him liable only for his
20 own acts, omissions, approval, acquiescence, and ratification.
21

22 42. Flores approved the February 2023 criminal referral incorporating Martinez’s
23 characterization of the September 28, 2022 interview while the only complete, verbatim
24 contemporaneous recording was omitted. In April 2025, Martinez directly communicated
25 to Flores the explanation that she had accessed the recording and that the link was
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1 expired. In July 2025, Flores personally adopted and communicated the incomplete
2 “Napa-only” narrative.
3

4 43. After receiving notice, Flores had a realistic opportunity to direct preservation
5 and forensic examination of Martinez’s original laptop—asset 0021688—require an
6 accounting of the recording and related metadata, correct the official narrative, and
7 prevent continued concealment. He failed to take those actions. Later production
8 confirmed that no image or disposition record of that device has been identified or
9 produced, and that the searches described after notice were of the successor computer.
10
11

12 44. Plaintiffs allege that Flores’s post-notice adoption and maintenance of the
13 incomplete custody narrative, together with his failure to direct examination or
14 preservation of the original device, prolonged the alleged concealment and contributed to
15 the constitutional deprivations alleged in the First and Third Claims for Relief.
16

17 ***G. Peace-Officer Status and Absence of Any POST Serious-Misconduct Record***
18

19 45. A November 13, 2023 CSLB organizational chart identifies Flores as SSI II
20 (P/O) and Martinez as SSI I (P/O). Beginning January 1, 2023, Penal Code section
21 13510.9, subdivision (a)(2), requires an employing agency to report to POST within ten
22 days any complaint, charge, or allegation of conduct against an employed peace officer
23 that could subject the officer to suspension or revocation under Penal Code section
24 13510.8, including dishonesty relating to the investigation or prosecution of a crime and
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1 destroying or concealing evidence. The statute is triggered by the allegation; it does not
2 require that the allegation first have been sustained.
3

4 46. Plaintiffs allege that CSLB and DCA received written complaints and
5 allegations concerning Martinez's and Flores's handling, preservation, accounting for,
6 and representations concerning the recording, including the pleadings in this action and
7 written complaints arising from the April and July 2025 communications. Plaintiffs do
8 not plead section 13510.9 as a private right of action. In responses dated August 28, 2026
9 as to Martinez and August 31, 2026 as to Flores, POST stated that it had no records of
10 any complaints or allegations of serious misconduct against either officer.
11
12

13 47. Plaintiffs allege POST's absence of any such record as circumstantial
14 evidence of agency knowledge, notice, response, and the manner in which the alleged
15 evidence-handling failures were treated—not as an independent federal claim.
16
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18 ***H. Nature of the Constitutional Injury and Heck Limitations***

19 48. Plaintiffs' injuries arose when investigators deprived the criminal process of
20 the only complete, verbatim contemporaneous recording and replaced it with
21 investigative materials containing affirmative fabrications and material alterations. Those
22 injuries existed independently of any later plea.
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1 49. Plaintiffs seek damages only for those independent constitutional injuries.
2 They do not seek criminal-defense fees, damages for incarceration or conviction, or any
3 recovery that would require invalidation of the uncontested licensing misdemeanor.
4

5 50. Under Heck and its progeny, success on these claims will not necessarily
6 imply the invalidity of the remaining misdemeanor disposition. The claims are therefore
7 not barred.
8

9
10 ***I. Accrual, Concealment, and Relation Back***

11 51. Plaintiffs did not know and could not reasonably have known the complete
12 factual basis of the recording-related claims when the recording first became unavailable.
13 Defendants represented that the recording had “self-deleted,” was solely a Napa County
14 matter, and had not been maintained by CSLB.
15

16
17 52. Plaintiffs learned the concealed facts in stages. On April 21, 2025, Martinez
18 admitted in writing that she had initially accessed the recording. Thereafter, Plaintiffs
19 learned that information from the interview was included in the referral approved by
20 Flores, obtained evidence of the February 9, 2023 Dropbox deletion event, and learned
21 that Martinez’s original CSLB laptop had been replaced. On or about August 20, 2025,
22 Plaintiffs obtained the recovered recording and were able for the first time to identify the
23 affirmative fabrications and material alterations in Martinez’s written summary. Later
24 discovery and the August 28, 2026 production further particularized that the original
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1 device could not be located and that no image or disposition record has been identified or
2 produced.

3
4 53. To the extent favorable termination governs accrual of the deliberate-
5 fabrication claims, those claims accrued no earlier than the date when Angela Minor's
6 criminal proceeding and the financial and felony charges against Zachary Minor were
7 dismissed or otherwise terminated in Plaintiffs' favor. The separate licensing
8 misdemeanor is not based upon, and does not validate, the fabricated financial allegations
9 challenged in this action.
10

11
12 54. The allegations in this Third Amended Complaint concerning the September
13 2022 interview, recording, referral, concealment, Defendants, original laptop, and
14 resulting injuries arise from the same course of conduct and common core of operative
15 facts alleged in the earlier federal pleadings and relate back under Federal Rule of Civil
16 Procedure 15(c)(1)(B).
17

18 19 **IV. CLAIMS FOR RELIEF**

20 21 **FIRST CLAIM FOR RELIEF**

22 23 **42 U.S.C. § 1983 – Fourteenth Amendment**

24 25 **Fabrication of Evidence and Deliberate Investigative Falsehoods**

26 *(Against Martinez and Flores in their individual capacities)*

27 55. Plaintiffs incorporate paragraphs 1 through 54.
28

1 56. The Due Process Clause of the Fourteenth Amendment prohibits government
2 investigators from deliberately fabricating evidence and causing a person to be deprived
3 of liberty through use of that fabricated evidence. To establish causation, Plaintiffs allege
4 that the fabricated evidence materially influenced or was reasonably likely to influence
5 the charging and prosecution decisions that resulted in the liberty deprivations alleged
6 herein.
7

8
9 57. Martinez's deliberate fabrication was not limited to withholding the recording.
10 She affirmatively inserted statements that Plaintiffs did not make, including the alleged
11 list of homeowners owing money and alleged statements that Montgomery subcontractors
12 were owed money; materially altered the Marshall Scaffolding discussion to remove
13 payment-and-pickup context and add an inculpatory statement that the scaffolding was
14 "coincidentally stolen"; and attributed to Zachary Minor an admission that he hired
15 unlicensed trenching workers when the recording reflects that the homeowners hired
16 those persons separately.
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19
20 58. These were material factual statements included in an official criminal-referral
21 package. They were reasonably foreseeable to influence prosecutorial evaluation because
22 they created the appearance of recurring unpaid obligations, independently corroborated
23 financial misconduct, a theft involving scaffolding, and an additional licensing violation.
24

25
26 59. Prosecutors were never given the only complete, verbatim contemporaneous
27 recording needed to test those statements. Instead, they received Martinez's written
28

1 characterization as the principal contemporaneous account of the interview. The
2 concealment of the recording and submission of the materially altered summary
3 prevented prosecutors from exercising fully informed and untainted independent
4 judgment.
5

6
7 60. Flores approved the referral containing Martinez's account while the only
8 complete, verbatim contemporaneous recording was omitted. He later received direct
9 notice that Martinez had accessed the recording and that the recording was allegedly
10 missing, yet adopted and maintained the incomplete "Napa-only" narrative rather than
11 correcting the official record or directing preservation and forensic examination of asset
12 0021688.
13

14
15 61. As a direct and proximate result of the fabricated and materially altered
16 information, both Plaintiffs were subjected to criminal charges based in part on the
17 official referral materials. Plaintiffs allege that the fabricated evidence materially
18 influenced the charging decisions and thereby caused the liberty deprivations alleged
19 herein.
20

21
22 62. Once the recording was recovered and compared against Martinez's summary,
23 Angela Minor's entire case and every financial and felony charge against Zachary Minor
24 were dismissed. That sequence supports a reasonable inference that the fabricated and
25 altered statements were material and substantially contributed to the dismissed charges.
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1 63. Plaintiffs consequently suffered the liberty deprivation inherent in those
2 charges, emotional distress caused by the fabricated and concealed investigative record,
3 and costs incurred locating and recovering the recording, according to proof. Plaintiffs do
4 not seek damages that would require invalidation of the uncontested licensing
5 misdemeanor.
6

7 8 **SECOND CLAIM FOR RELIEF**

9 10 **42 U.S.C. § 1983 – Fourteenth Amendment**

11 **Suppression of Material Exculpatory Evidence and Deliberate Concealment**

12 *(Against Martinez in her individual capacity, as to Plaintiff Zachary Minor)*
13

14 64. Plaintiffs incorporate paragraphs 1 through 63.
15

16 65. Investigating officers violate the Due Process Clause when they suppress
17 favorable and material evidence from prosecutors and the defense while acting with
18 deliberate indifference to or reckless disregard for the accused's rights or for the truth.
19 See *Tennison v. City & County of San Francisco*, 570 F.3d 1078, 1087–89 (9th Cir.
20 2009); *Mellen v. Winn*, 900 F.3d 1085, 1103 (9th Cir. 2018).
21

22 66. The September 28, 2022 recording was favorable and material evidence
23 concerning the financial and felony charges. Because no contemporaneous transcript
24 existed, the recording was the only complete, verbatim account through which
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1 prosecutors, Plaintiffs, and defense counsel could independently evaluate what was said
2 rather than relying upon Martinez's written characterization.
3

4 67. Martinez knew the recording's favorable and impeaching content because she
5 personally conducted the interview, participated in the recorded exchanges, requested and
6 accessed the recording, used information derived from it in her referral, and
7
8 acknowledged during the interview that she was obligated to include information that
9 aided Plaintiffs' defense. Despite that knowledge, she never provided the recording to
10 prosecutors.
11

12 68. Before the recording was disclosed, Zachary Minor entered a felony plea
13 without access to the only complete, verbatim contemporaneous recording and without
14 the ability to compare Martinez's written summary against the actual interview.
15

16 69. Had the recording been timely disclosed before that plea, there is a reasonable
17 probability that Zachary Minor would not have entered the felony plea and would instead
18 have insisted upon a preliminary hearing or trial. The recording contained materially
19 favorable information and revealed affirmative fabrications, altered statements, and
20 omitted exculpatory context in the investigative summary on which the criminal referral
21 depended.
22
23

24 70. After the recording was recovered and disclosed, the court permitted Zachary
25 Minor to withdraw the felony plea. Once the parties could compare the recording with
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1 Martinez's summary, the prosecution agreed to dismiss every financial and felony charge
2 against him before preliminary hearing.
3

4 71. These events support a reasonable inference that timely disclosure would have
5 changed Zachary Minor's decision to plead and the result of that plea proceeding. The
6 nondisclosure therefore affected an identifiable judicial proceeding and caused prejudice
7 independently of the remaining licensing misdemeanor.
8

9 72. Angela Minor's entire criminal case was also dismissed once the recording
10 was available for comparison. That dismissal is pleaded as circumstantial evidence of the
11 recording's materiality and of causation supporting Angela Minor's fabrication and
12 conspiracy claims. Angela Minor does not rely upon that dismissal alone to assert a
13 freestanding Brady-style nondisclosure claim.
14
15

16 73. As a direct and proximate result, Zachary Minor was deprived of his
17 Fourteenth Amendment rights and suffered independent injuries according to proof.
18
19

20 **THIRD CLAIM FOR RELIEF**

21 **42 U.S.C. § 1983 – Civil Rights Conspiracy**

22 *(Against Martinez, Flores, and DOE Defendants in their individual*
23 *capacities)*
24

25 74. Plaintiffs incorporate paragraphs 1 through 73.
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1 75. Plaintiffs allege, on information and belief, that Martinez, Flores, and
2 participating DOE Defendants reached an understanding or meeting of the minds to
3 maintain and communicate the materially incomplete position that Napa County alone
4 was responsible for the recording and that the recording had simply expired or self-
5 deleted, notwithstanding Martinez's receipt, access, and use of the recording in the
6 referral. Plaintiffs allege the agreement circumstantially from the sequence and
7 consistency of Defendants' communications and conduct described below.
8

10 76. The agreement may reasonably be inferred principally from Martinez's direct
11 communication of the custody explanation to Flores, Flores's later adoption and
12 repetition of the same materially incomplete position after receiving that information, and
13 their continued maintenance of that position while the recording remained unavailable;
14 the failure to examine the original laptop and the later absence of an identified image or
15 disposition record provide additional circumstantial context.
16
17

18 77. At the time of the April and July 2025 communications, the recording
19 remained unavailable, Zachary Minor's felony plea and related charges had not yet been
20 finally resolved, and Angela Minor's criminal case remained pending. Defendants'
21 continued concealment prevented Plaintiffs and their counsel from obtaining the
22 recording, comparing it against Martinez's summary, and seeking earlier withdrawal of
23 Zachary Minor's plea and dismissal of the charges. Once the recording was
24 independently recovered and the comparison became possible, Zachary Minor's felony
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1 plea was withdrawn, the financial and felony charges against him were dismissed or
2 agreed to be dismissed, and Angela Minor's entire case was dismissed or agreed to be
3 dismissed.
4

5 78. Defendants' agreement resulted in continuing concealment of material
6 evidence after Plaintiffs repeatedly requested the recording.
7

8 79. Each Defendant performed overt acts in furtherance of the agreement under
9 color of state law, causing the deprivation of Plaintiffs' Fourteenth Amendment rights.
10

11 80. As a direct and proximate result, Plaintiffs suffered the injuries described
12 above.
13

14 **V. PRAYER FOR RELIEF**

15
16 WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:
17

18 1. Compensatory damages according to proof, including emotional-
19 distress, professional, and economic damages caused by the independent constitutional
20 violations alleged, and not by the mere institution of charges independent of fabricated or
21 concealed evidence;
22

23 2. Punitive damages against each Defendant according to proof;
24

25 3. Costs of suit and reasonable attorney's fees incurred through counsel, if
26 any, under 42 U.S.C. § 1988;
27

1 4. Such other and further relief as the Court deems just and proper.
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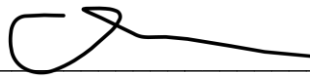
3 **VI. DEMAND FOR JURY TRIAL**

4 Plaintiffs demand a jury trial on all issues so triable.
5

6 Dated: September 25, 2026
7

8 Respectfully submitted,
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12 Zachary Minor, Plaintiff in Pro Per

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14 _____
15 Angela Minor, Plaintiff in Pro Per
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