

1 Alkiviades David (Alki)  
2 *Pro-Per*  
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9 Named Defendant

Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
7/08/2024 2:34 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Tang, Deputy Clerk

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES**

**JANE DOE,**

Plaintiff

vs.

**ALKIVIADES DAVID, ET AL.,**

Defendants.

Case No.: 20STCV37498

*Assigned to the Honorable Christopher LIU,  
Presiding*

**DEFENDANT' ALKIVIADES DAVID'S  
OBJECTIONS TO TRIAL AND  
IRRIGULARITIES IN CASE  
NO. 20STCV37498**

Date: July 5, 2024

Time: Unknown

Department: LM 2

Trial Date: Unknown

**DEFENDANT' ALKIVIADES DAVID'S OBJECTIONS TO TRIAL AND  
IRRIGULARITIES IN CASE NO. 20STCV37498**

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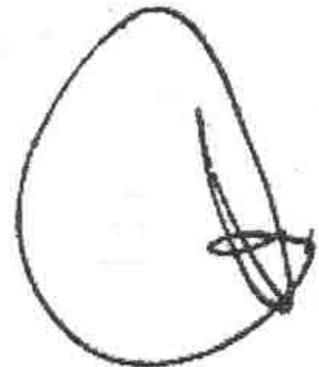
1 DEFENDANT' ALKIVIADES DAVID'S OBJECTIONS TO CASE NO. 20STCV37498

2 Exception is taken under Code of Civil Procedure Section 646 to the following:

- 3 1.) Objection to litigation procedures without notice to or appearance by Defendant, including  
4 hearings and the jury trial conducted, for all phases thereof from void dire to final submission or  
5 presentation for jury deliberations, and after deliberations were over with the verdict(s) and any  
6 subsequent hearing(s).  
7  
8 2.) Objection to any conduct or participation by Fred Heather or Dana Cole after December 18,  
9 2023, acting as counsel of record or friend of the court.  
10 3.) Objection to trial in case No. 20STCV37498.  
11 4.) Objection to June 2024 trial, without Defendant present to participate and cross examine  
12 witness.  
13 5.) Objection to pre-trial discovery and or lack of pre trial discovery, as Defendant's due process  
14 rights were not observed.  
15 6.) Additional objections/concerns attached hereto as EXHIBIT 1.  
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17 7.) Objection to lack of ADA Accommodation for Defendant, Alkiviades David during this  
18 case and through trial as well as post-trial.

19 Respectfully Submitted this 5th Day of July, 2024.

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Alkiviades David  
Named Defendant

# EXHIBIT 1

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF  
LOS ANGELES

JANE DOE Plaintiff,

vs. ALKIVIADES DAVID, ET AL., Defendant

Case No.: 20STCV37498

DEFENDANT'S OBJECTION TO PROCEEDINGS INCLUDING JURY VERDICT  
DUE TO JUDICIAL CONFLICT OF INTEREST AND IMPROPER JURY TRIAL

July 1 2024

TO THE HONORABLE CHRISTOPHER K LIU

**INTRODUCTION**

Defendant Alkiviades David, appearing pro se, hereby submits this Objection to the proceedings in the above-captioned matter on the grounds that (1) the presiding judge has a personal conflict of interest, which impairs impartiality and fairness, and (2) the case was improperly proceeded to a surprise jury trial. Defendant respectfully requests that this Court address these critical issues to ensure the integrity of the judicial process.

**FACTUAL BACKGROUND**

- 1. Conflict of Interest:** The presiding judge, Hon. Christopher K. Liu, has a known personal and/or professional conflict of interest involving the subject matter of the above-styled cause and that of two pending federal matters. The first is captioned *In re Alkiviades David*, Case number 2:2024cv01665, United States District Court, Central District of California, filed February 29, 2024. This federal action pleads in relevant part, "where the absence of jurisdiction by the herein named state courts, and the product of extrinsic fraud on the state courts committed by the REAL PARTIES OF INTEREST produced unlawful domestic and international debt collections which are void ab initio." The second federal case is *DAVID et al v. COMCAST INC. et al* (4:23-cv-00435), filed in Texas. These conflicts compromise Judge Liu's ability to remain impartial and objective in adjudicating the instant matter. Due process requires a fair trial before a judge without actual bias against the defendant or an interest in the outcome of his particular case. *Bracy v. Gramley*, 520 U.S. 899 (1997). It certainly violates the Fifth and Fourteenth Amendments and deprives the defendant in a criminal case of due process of law to subject his liberty or property to the judgment of a court, the judge of which has a direct, personal, or substantial pecuniary interest in reaching a conclusion against him in his case. *Tumey v. Ohio*, 273 U.S. 510 (1927).
- 2. Public Accusation Against Judge Liu's Father:** Defendant has publicly and personally accused Judge Christopher K. Liu's father, Judge Elwood Liu, of gross abuse of power by inserting false witness statements in his opinion of the Mahim Kahn appeal. The accusations include fabrications and personal gain from a \$54 million order. This conflict raises significant

- relations and the serious nature of the allegations against his father.
3. **Termination of Counsel:** On December 13, 2023, at 1:25 PM, Defendant terminated attorney Fred Heather as represented by the attached email. (SEE DEC 13, 2023 EMAIL TO FRED HEATHER). Defendant terminated attorney Fred Heather due to unethical conduct and for failure to represent Defendant's interest properly. More specifically, Defendant wrote: "Fred you're fired.... YOU DO NOT REPRESENT ME - YOU ARE LIKE DANA - YOU ARE COMPLICIT AND CORRUPT. This is not my head injury in any way talking of it is based on legal advice too. Fred and Dana you are not to be involved with my cases ever again. Alki David" On May 18, 2024, Defendant again asserted to Fred Heather by way of email, that Heather was no longer representing Defendant in any capacity due to counsel's unethical behavior in a scheme to obtain millions of dollars from the elderly mother of the Defendant, representing that Defendant would face imminent criminal sanctions if money was not paid to his firm in the instant civil case. Counsel thereafter failed to either withdraw from the case or inform the court that counsel had been fired by the Defendant. As the court is aware, counsel made no defensive filings on the record including but not limited to Motion In Limine and proposed jury instructions. Nor did counsel notify the court as to the need for a writ of habeas corpus ad testificandum so as to require United States Immigration to issue a temporary visa to Defendant (a non-U.S. citizen) that his attendance would be available at such a trial.
  4. **Improper Jury Trial:** On or about June 12, 2024, this Court proceeded to a jury trial without proper notice to the Defendant as discussed above. At the time, Defendant had terminated the services of Defendant's counsel of record, Fred Heather, as described above. The Court, however, moved forward with the June 2024 trial absent knowledge or notice to the Defendant, thereby causing severe prejudice to the Defendant's right to a fair trial. Moreover, at no time on the record or elsewhere did the Defendant waive his right to notice. "Notice and opportunity to be heard are fundamental to due process of law. We would reverse these cases out of hand if they were suits of a civil nature to establish a claim against petitioners. Notice and opportunity to be heard are indispensable to a fair trial whether the case be criminal or civil." *Joint Anti-Fascist Committee v. McGrath*, 341 U.S. 123, 178 (1951).
  5. **New Evidence Exonerating Defendant:** Recently, new evidence has surfaced in the form of text messages and communications, previously buried, revealing a conspiracy involving prominent figures like Tom Girardi and Gloria Allred. This evidence exonerates Defendant Alkiviades David and exposes a malicious plot against him. The death of attorney Barry Rothman, under mysterious circumstances, led to the loss or concealment of crucial documents and evidence that are now emerging, further supporting Defendant's claim of innocence and conspiracy against him.
  6. **Indictment of Associated Attorneys:** The original lawsuit against Defendant was initiated by Girardi Keese, with Keith Griffin of Dordick Law and Gary Dordick being involved. Both attorneys have since been

pattern of legal malpractice and unethical behavior surrounding this case.

7. **Federal Cases Impacting the Current Matter:** Defendant has filed two federal cases that directly impact the current matter:
  - o *DAVID et al v. COMCAST INC. et al* (4:23-cv-00435), Texas
  - o *Alkiviades David et al v. Los Angeles County Superior Court No. BC654017 Hon. Michelle Williams et al*
8. **Collusion and Extortion Revealed:** There are 27 pages of text messages between Lauren Reeves, Chasity Jones, Elizabeth Taylor, Mary Rizzo, and Mahim Kahn revealing their collusion to extort Defendant Alkiviades David. These messages, which were buried by Fred Heather at Robert Shapiro's firm, demonstrate a coordinated effort driven by Gloria Allred to falsely accuse and extort Defendant. Attorney Fred Heather's conflict of interest, representing Defendant while withholding this evidence, further compromised Defendant's right to a fair trial. Robert Shapiro also personally threatened Defendant, adding to the misconduct and abuse in this case.

#### **LEGAL GROUNDS FOR OBJECTION**

I. **Conflict of Interest** Under California Code of Civil Procedure § 170.1(a)(6)(A)(iii), a judge shall be disqualified if "[a] person aware of the facts might reasonably entertain a doubt that the judge would be able to be impartial." The established conflict of interest in this case meets this criterion, as it raises reasonable doubts about Judge Christopher K. Liu's ability to render an unbiased decision.

II. **Improper Jury Trial and Due Process Violation** Pursuant to the California Constitution, Article I, Section 16, and the Code of Civil Procedure § 631, parties are entitled to adequate notice and an opportunity to prepare for trial. Proceeding to a jury trial without proper notice and while the Defendant, being a disabled person under the ADA, was in the process of changing legal representation constitutes a violation of due process and the right to a fair trial.

III. **New Evidence Supporting Defendant's Innocence** The new evidence, including text messages and communications revealing a conspiracy against Defendant, further invalidates the proceedings and the jury's verdict. This evidence indicates a deliberate and malicious effort to prosecute Defendant unlawfully.

#### **ARGUMENT**

1. **Impartiality is Fundamental to Justice** The right to a fair and impartial tribunal is a cornerstone of the American judicial system. Given the conflict of interest involving Judge Christopher K. Liu, proceeding with this judge to the June 2024 trial threatened the fairness of the trial where an unreasonable \$900 million verdict was returned. An impartial judge is essential to the credibility and integrity of the judicial process.
2. **Right to Adequate Notice and Representation** Defendant's constitutional and statutory rights were infringed when the Court advanced to a jury trial without proper notice and during a transition of legal counsel. This surprise jury trial deprived the Defendant of adequate time to secure new counsel and prepare a defense, thereby undermining the fairness of the

3. **Consideration of New Evidence** The newly surfaced evidence exonerating Defendant must be considered by the Court. This evidence reveals a coordinated conspiracy involving prominent legal figures, and its exclusion from consideration would result in a miscarriage of justice.

### **CONCLUSION**

For the reasons set forth above, Defendant Alkiviades David respectfully requests that:

1. Judge Christopher K. Liu be recused from this case due to the personal and/or professional conflict of interest.
2. Any orders or judgments entered during the surprise jury trial be vacated.
3. A new trial be scheduled, providing sufficient time for Defendant to retain and prepare with new legal counsel.
4. All further proceedings in this matter be stayed pending full resolution in the United States District Court case as referenced above.
5. The new evidence exonerating Defendant be fully reviewed and considered in any subsequent proceedings.

### **PRAYER FOR RELIEF**

WHEREFORE, Defendant prays for relief as follows:

1. An order recusing Judge Christopher K. Liu from presiding over this matter.
2. An order vacating all proceedings and judgments from the improper jury trial.
3. An order for a new trial with appropriate notice and preparation time for Defendant's new counsel.
4. An order to stay all proceedings in this case pending final disposition of cause 2:2024cv01665, United States District Court, Central District of California.
5. An order to fully consider the new evidence exonerating Defendant in any subsequent proceedings.
6. Any other relief that this Court deems just and proper.

Respectfully submitted, DATED: June 26, 2024

A handwritten signature in black ink, appearing to be 'Alkiviades David', written in a cursive style.

Alkiviades David  
23768 MALIBU ROAD  
MALIBU CA 90265

Alkiviades David, Pro Se

**NOTE:** I am a disabled person of sound mind and body. I have not ever been given my accommodations under ADA 2008 Amendment of Disabilities Act. I have been entirely ignored, and my severe disability repeatedly abused.