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6 IN PROPRIA PERSONA

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

9 Case Number BD 296 320

11	IN RE MATTER OF:	)	NOTICE OF MOTION AND MOTION OF
		)	INTENT TO MOVE FOR A
12	Petitioner: LYNN REDGRAVE	)	MISTRIAL;DECLARATION OF JOHN
		)	CLARK;MEMORANDUM OF POINTS AND
13		)	AUTHORITIES
		)	
14	and	)	
		)	[U.S. Constitution
15		)	Fifth Amendment]
		)	
16	Respondent: JOHN CLARK	)	
		)	
17		)	Trial date: March 23, 2001
		)	Judge: Arnold H. Gold
18	_____	)	Dept: 7

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21 TO THE HONORABLE ARNOLD GOLD, JUDGE, PETITIONER LYNN  
22 REDGRAVE, AND HER COUNSEL OF RECORD:

23 PLEASE TAKE NOTICE that pursuant to Article number 5  
24 of the Constitution of the United States [" ...nor to be  
25 deprived of life, liberty, or property, without due process of  
26 law"], Respondent John Clark hereby moves for a mistrial because  
27 of witness testimony given on Friday, March 30, 2001.  
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1 for the gate, which has remained the same since her abandonment,  
2 and she knows the Rottweiller guard dogs. She stated that the  
3 truck was to be used for the purposes of removing jointly owned  
4 property from the garage, namely, the entire production elements  
5 of their highly successful show "Shakespeare For My Father",  
6 which were stored in large crates, undisturbed since they were  
7 placed there after the production returned from a run at the  
8 Theatre Royal, Haymarket, London.

9 Respondent questioned Petitioner at length about what  
10 subsequently happened during this incident, and Respondent  
11 stated that she inspected the entire premises, and buildings,  
12 which are situated upon 5 acres of land.

13 She commented upon the generally poor state that the  
14 premises were in, in her opinion.

15 Further questioning revealed that Respondent had  
16 entered the residence which contains the offices and the  
17 particular areas where Respondent keeps his files, his sorting  
18 tables, his cabinets, his computers, his audio tape machines,  
19 his photocopy machines, his discovery documents some of which  
20 are strewn on the floor, in fact all work product concerning  
21 this instant case. Also that forceable entry was made to the  
22 locked front office building where more discovery documents are  
23 filed. Petitioner testified that she entered by "crawling  
24 through the dog door", since the doors were all locked.

25 Respondent asked Judge Gold to order Petitioner to  
26 reveal the name of the "friend" who accompanied her which Judge  
27 Gold declined to do.

28 Inquiry since March 30 by Respondent reveal facts

1 which need to be adjudicated. 2 friends of Respondent, Sheila  
2 Johnson and Brenda Derocher who were assisting him as needed  
3 will testify that they saw Nicolette Hannah, Petitioner in the  
4 related case [Hannah v. Clark, LASC case number BF 013 155]  
5 leaving the property in her car at the time in question. If  
6 this can be proved to be the case, then the assault upon the  
7 instant case is compounded by a similar assault upon the related  
8 case, where Respondent is also defending himself, for documents  
9 in that case too appear to be missing. Furthermore, Petitioner  
10 Hannah has a restraining order against her to not enter the  
11 premises at any time absent a specific invitation.

12           Petitioners Redgrave and Hannah are well aware that  
13 Respondent has been "In Pro Per" since about last June of year  
14 2000, as the economically weak spouse.

15           It may be shown that they entered into a conspiracy to  
16 invade Respondent's premises, and to steal documents during his  
17 absence enforced by Judge Gold.

18           **REASONS FOR A MISTRIAL TO BE DECLARED IMMEDIATELY**

19           Respondent hereby demands that a mistrial be  
20 immediately declared and that the trial not go forward because  
21 of missing documents which severely impair his ability to put on  
22 his case in chief which begins at 1.30pm, April 4, 2001.

23           Part of Respondent's case revolves around the charge  
24 of Bankruptcy fraud. Documents essential to the argument were  
25 lying on the floor of the office pending classification and file  
26 cabinet storage so as to be ready for trial. Certain documents  
27 are not to be found after a diligent search, and Respondent has  
28 been penalised by the court for non-production.



1 rules of legal and ethical conduct as any attorney, perhaps more  
2 so. The Founding Fathers of this great country were especially  
3 mindful of the poor and downtrodden when they created the rules  
4 of our Constitution under which we all live.

5 To continue the trial at this point would not only be  
6 a waste of the court's time, but would also require Petitioner  
7 to be recalled from London, England, where she is currently  
8 under contract to rehearse for a play, a fact which she sprung  
9 upon Respondent and the court on Wednesday March 28, 2001. She  
10 will not be returning to this country until August 5, according  
11 to her attorney. She is also beyond the jurisdiction of this  
12 court, and may refuse to obey an order to return, seeking to  
13 avoid punishment and legal action from her employers.

14 But if she were to come back, Respondent would demand  
15 that she return his missing documents. If she responds that she  
16 didn't have them, then she must have got rid of them. He simply  
17 does not trust her, and he does not think that the interest of  
18 justice would be served by recalling her at this time.

19 He also believe that all of the above has transpired  
20 due to the orchestration of her clients behavior towards her  
21 successful resolution of this case. To "win" is the only thing  
22 understood by attorney Emily Edelman, Esq., President of the  
23 Beverly Hills Bar Association. Respondent believes that all of  
24 this has been within her knowledge, and that her own behavior as  
25 a professional attorney has been unethical and crosses the  
26 boundary from vigorous prosecution to unfair advantage. The  
27 bias against in pro pers in the courts, especially in family  
28 court, is a well-known fact.

1           By all of these reasons given, Respondent believes  
2 that trial should be resumed upon her return in August, and that  
3 Respondent should be given the ability to start afresh with his  
4 pretrial filings by the court extending the time requirements  
5 for discovery.

6           Also, to this day, Petitioner refuses to disclose her  
7 discovery documents for the year 2000 and thru today's date, on  
8 the grounds that Respondent is and has been out of time. This  
9 has been one of the harms caused by Petitioner's behavior during  
10 her 4 uninvited visits to Respondent over the past 2 years, and  
11 explains why he has been unable to deliver certain missing  
12 documents, and has thus been "out of time".

13  
14           I declare under penalty of perjury that the foregoing  
15 is true and correct, and that if called as a witness, I would  
16 competently testify thereto.

17           Respectfully submitted.

18           Executed on April 3, 2001 at Topanga, California.

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23           \_\_\_\_\_  
JOHN CLARK

24           Respondent, In Pro Per  
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