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**Case Management Conference**  
12/06/2023 08:30 AM - Department 02

13 Attorneys for Plaintiff Shayne Maupin

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**SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF TULARE**

SHAYNE MAUPIN, individually and as  
successor-in-interest to decedent NYCHOLAS  
PARRAZ,

Case No. VCU300612

**COMPLAINT FOR DAMAGES AND  
DEMAND FOR JURY TRIAL**

Plaintiff,

v.

COUNTY OF TULARE, a governmental entity,  
on its own behalf and on behalf of its departments,  
including but not limited to CHILD WELFARE  
SERVICES and TULARE COUNTY SHERIFF'S  
OFFICE; ESTEFANIA PADILLA, an individual;  
MAGGIE PRUNEDA, an individual; TERESA  
GONZALEZ, an individual; JALYN E.  
ANDRADE, an individual; MATTHEW ASKEW,  
an individual; LUKE HAMILTON, an individual;  
MATTHEW RASCON, an individual; JOSEPH  
RODRIGUEZ, an individual; RYAN CORUM, an  
individual; DESMOND GOREE, an individual;  
and ROBBY HEBRARD, an individual; and  
DOES 1-50, Inclusive,

Defendants.

## I. INTRODUCTION

1  
2 1. Under California law, mandatory duties are imposed on each county’s child protective  
3 services division. These public entities are part of a state-wide system intended to prevent child abuse  
4 and neglect in California. Existing law provides for mandatory services for abused and neglected  
5 children and their families. The stated goal of child protective services is to keep the child in his/her  
6 own home when it is safe, and when the child is at risk, to develop an alternate plan as quickly as  
7 possible. These goals are embodied in the Division 31 Regulations, Resource Family Approval  
8 Program Written Directives, SDM® Policy and Procedures Manual, all adopted by the California  
9 Department of Social Services. These regulations set forth the requirements of the CHILD WELFARE  
10 SERVICES Division for Tulare County (“CWS”), a department of Defendant COUNTY OF TULARE.

11 2. Similarly, California law imposes mandatory duties on law enforcement personnel who  
12 receive or observe an account of child abuse/neglect. Existing law imposes a duty on law enforcement  
13 who knows or reasonably suspects that the home in which a child resides is unsuitable for the child  
14 because of abuse or neglect of the child, including bringing the condition to the attention to the county  
15 welfare department. (Penal Code § 11166(f).) Law enforcement must also investigate the child’s  
16 circumstances to determine whether there is reasonable suspicion to support the child abuse/neglect  
17 allegation and to trigger a report to the county welfare department and the district attorney under Penal  
18 Code § 11166(k) and the Department of Justice under § 11169(a). Such reports must be made either  
19 immediately or within 36 hours of receiving the information concerning the incident. (Penal Code §  
20 11166(a).) These statutes set forth the requirements of the TULARE COUNTY SHERIFF’S OFFICE, a  
21 department of Defendant COUNTY OF TULARE.

22 3. From March 2022 to January 2023, CWS and TULARE COUNTY SHERIFF’S  
23 OFFICE failed to abide by their mandatory duties causing the tragic deaths of NYCHOLAS PARRAZ  
24 and ALISSA PARRAZ.

25 4. Of particular importance, on November 15, 2022, CWS began the process of returning  
26 the infant NYCHOLAS PARRAZ to the home of ALISSA PARRAZ, who was known to be residing at  
27 6834 Harvest Avenue, Goshen, CA 93227 (the “Goshen Household”). Prior to placement in the Goshen  
28 Household, employees of CWS, specifically Defendant ESTEFANIA PADILLA—the ongoing case

1 social worker—pursuant to SDM® Policy and Procedures Manual, California DSS Child Welfare  
2 Services Manual section 31-205.113, and All County Letter 09-31, were required to assess the Goshen  
3 Household, including all adults living in the Goshen Household, for the purposes of determining  
4 whether the child should be returned home to the Goshen Household. Notwithstanding this  
5 requirement, CWS failed to assess the Goshen Household and placed the infant NYCHOLAS PARRAZ  
6 there, despite the presence of active gang members in the Goshen Household.

7 5. Later, in January 2023, law enforcement personnel from the TULARE COUNTY  
8 SHERIFF’S OFFICE, including Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
9 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD,  
10 conducted a warrant check at the Goshen Household on January 3, 2023. Despite the presence of two  
11 admitted active gang members in the home, as well as methamphetamine, methamphetamine pipes,  
12 body armor, AR Style rifles with no serial number, a handgun, a shotgun, ammunition, bullet holes in  
13 the walls, and shell casings, the TULARE COUNTY SHERIFF’S OFFICE failed to investigate  
14 ALISSA PARRAZ’s circumstances, a minor who was present at the time of the warrant check, and  
15 NYCHOLAS PARRAZ’s circumstances, who resided there part-time and whose presence in the home  
16 was readily apparent by virtue of his crib and other belongings, to determine whether there is  
17 reasonable suspicion that the Goshen Household was unsuitable for the minors. The TULARE  
18 COUNTY SHERIFF’S OFFICE further improperly failed to report the known or suspected instance of  
19 child abuse/neglect of ALISSA PARRAZ and NYCHOLAS PARRAZ to CWS immediately or as soon  
20 as practically possible by telephone and preparing and sending a written report thereof within 36 hours  
21 of receiving the information concerning the incident.

22 6. If CWS and the TULARE COUNTY SHERIFF’S OFFICE had discharged their  
23 mandatory duties, this tragedy could have been averted. As a result of this improper placement, failure  
24 to monitor and failure to report and investigate known and suspected improper conduct as required and  
25 failure to immediately remove the infant NYCHOLAS PARRAZ from a placement presenting a high  
26 risk of abuse and injury to NYCHOLAS PARRAZ and in violation of the mandatory duties by the  
27 CWS and the TULARE COUNTY SHERIFF’S OFFICE, and their agents and employees, ALISSA  
28 PARRAZ and NYCHOLAS PARRAZ were murdered.

1           7.       The infant NYCHOLAS PARRAZ is survived by his father, SHAYNE MAUPIN, who  
2 has lost a lifetime of love, companionship, comfort, support, and affection from his beloved son.  
3 NYCHOLAS PARRAZ's death was caused by the failures of CWS and the TULARE COUNTY  
4 SHERIFF'S OFFICE.



1 **II. PARTIES**

2 8. At all relevant times, Decedent NYCHOLAS PARRAZ was a resident of the County of  
3 Tulare.

4 9. At all relevant times, Decedent ALISSA PARRAZ was a resident of the County of Tulare.

5 10. Plaintiff SHAYNE MAUPIN is a resident of the County of Modoc and was at all  
6 relevant times the father of Decedent NYCHOLAS PARRAZ and fiancé of Decedent ALISSA  
7 PARRAZ. SHAYNE MAUPIN is the sole surviving heir of decedent NYCHOLAS PARRAZ.  
8 SHAYNE MAUPIN is acting both individually, and as the successor-in-interest to the estate of  
9 NYCHOLAS PARRAZ. An affidavit as required by California Code of Civil Procedure section 377.32  
10 will be filed in this action. SHAYNE MAUPIN therefore proceeds both on an individual basis, and as  
11 successor-in-interest to the claims of NYCHOLAS PARRAZ.



1           11. Defendant COUNTY OF TULARE is a public entity in the State of California within the  
2 definition of Cal. Gov. Code § 811.2. CWS and TULARE COUNTY SHERIFF’S OFFICE are  
3 departments of Defendant COUNTY OF TULARE. The appropriate governmental claim for Plaintiff  
4 SHAYNE MAUPIN was timely filed with the COUNTY OF TULARE on May 22, 2023 pursuant to  
5 Cal. Gov. Code § 910. Defendant COUNTY OF TULARE rejected the claim on June 14, 2023.

6           12. Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA,  
7 and JALYN E. ANDRADE were at all relevant times employees of CWS, a department of Defendant  
8 COUNTY OF TULARE, authorized to make placement decisions for NYCHOLAS PARRAZ, and  
9 acting in the course and scope of their employment. Defendants TERESA GONZALEZ, ESTEFANIA  
10 PADILLA, MAGGIE PRUNEDA, and JALYN E. ANDRADE are sued in their individual capacities.

11           13. Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON,  
12 JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD were at all  
13 relevant times employees of the TULARE COUNTY SHERIFF’S OFFICE, a department of Defendant  
14 COUNTY OF TULARE, and at all times herein were acting in the course and scope of their  
15 employment. Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON,  
16 JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD are sued in  
17 their individual capacities.

18           14. The true names and capacities, whether individual, corporate, associate or otherwise, of  
19 defendants DOEs 1-50, inclusive, and each of them, are unknown to plaintiff, who thereby sue these  
20 defendants by such fictitious names, and will ask leave of this court to amend this complaint when the  
21 same shall have been ascertained. Plaintiff is informed and believe and upon that basis alleges that each  
22 defendant named herein as a DOE is responsible in some manner for the events and happenings  
23 referred to herein which proximately caused injury to plaintiff as hereinafter alleged.

24           15. Plaintiff is informed and believe and on that basis allege that at all times mentioned  
25 herein the Defendants, and each of them, were the agents, joint venturers, servants, employees,  
26 assistants, and consultants of each other, and as such were acting within the course, scope, and  
27 authority of said agency, joint venture, and employment, and that each and every Defendant, when  
28 acting as a principal, was negligent and reckless in the selection, hiring, entrustment, and supervision of  
each and every other defendant as an agent, servant, employee, assistant, or consultant.

1 **III. JURISDICTION & VENUE**

2 16. The Court has jurisdiction over this action by virtue of the fact that this proceeding is  
3 based on activity conducted in the State of California, and in the County of Tulare.

4 17. Tulare County is where some, or all, of the Defendants reside and therefore, venue is  
5 properly in this judicial district pursuant to California Code of Civil Procedure § 395.  
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7 **IV. GENERAL ALLEGATIONS**

8 **A. Foster Children Have The Right To Reasonably Safe Living Conditions And Services**  
9 **Necessary To Ensure Protection From Physical, Psychological, And Emotional Harm**

10 18. For all periods relevant to this Complaint, California has agreed to administer its foster-  
11 care program pursuant to the Child Welfare Act, related regulations, and policies promulgated by the  
12 Secretary of the United States Department of Health and Human Services. The Child Welfare Act  
13 provides that “the State shall develop and implement standards to ensure that children in foster care  
14 placements in public or private agencies are provided quality services that protect the safety and health  
15 of the children.” (42 U.S.C. § 671(a)(22).)

16 19. Foster children also have federal-law entitlements arising from the Child Welfare Act,  
17 42 U.S.C. §§ 670 et seq., and the Child Abuse Prevention and Treatment and Adoption Reform Act  
18 (“CAPTA”), 42 U.S.C. §§ 5101 et seq. These entitlements are property interests under the Due Process  
19 Clauses. Foster children are unconstitutionally deprived of these property interests when they are not  
20 provided with mandated supervision, protection, and care.

21 20. Children removed from their home by a county social worker and placed in foster care  
22 or emergency shelter care with a foster home, enjoy Due Process and Association rights under the  
23 Fourteenth and First Amendments of the United States Constitution, and the California Constitution.

24 21. Foster children have, at the very least, a fundamental liberty interest in their own safety,  
25 health, and well-being, as well as intimate- and familial-association interests. The duty to supervise and  
26 protect foster-children from foreseeable harm, both in and out of their familial home, is the  
27 quintessential responsibility of the social workers assigned to this helpless and vulnerable population.  
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1 **B. The Detention of Nycholas Parraz From Alissa Parraz And Shayne Maupin**

2 22. On March 1, 2022, NYCHOLAS PARRAZ is born at Kaweah Delta Hospital in Visalia,  
3 California in the care of his mother, ALISSA PARRAZ, who was 15 years old at the time.

4 23. On March 2, 2022, CWS receives a Child Abuse and Neglect Reporting Act (CANRA)  
5 referral concerning NYCHOLAS PARRAZ alleging that ALISSA PARRAZ is not able to care for  
6 newborn's basic needs, causing the child to go without feedings and changings for several hours. CWS  
7 Social Worker Barbara Cruz is assigned to investigate.

8 24. ALISSA PARRAZ had an extensive history with CWS. Since the year 2015, CWS had  
9 received eleven CANRA referrals concerning ALISSA PARRAZ's endangerment. These prior  
10 CANRA referrals describe how certain members of ALISSA PARRAZ's immediate family were  
11 involved in street gangs, as well as multiple shoot outs occurring at the family's home—the Goshen  
12 Household. This information was readily available to any CWS Social Worker that bothered to look.

13 25. On March 3, 2022, Barbara Cruz, along with CWS Supervisor Kimberly Machado move  
14 forward with a Protective Custody Warrant for NYCHOLAS PARRAZ. The Protective Custody  
15 Warrant identifies that the "Circumstances of the minor's home environment may endanger the  
16 health/person of the minor pursuant to WIC Section 340."

17 26. On March 4, 2022, Barbara Cruz completes the Identification and Emergency  
18 Information for NYCHOLAS PARRAZ for the purposes of identifying the names, addresses, and  
19 phone numbers of relatives to ALISSA PARRAZ's family. Barbara Cruz submits "No Relatives  
20 Available" on the form.

21 27. On March 8, 2022, Barbara Cruz and Kimberly Machado finalize the SDM Safety and  
22 Risk Assessments identifying the "physical living conditions are hazardous and immediately  
23 threatening to the health/and or safety of the child." Barbara Cruz and Kimberly Machado fail to  
24 complete the Referral Assessment Review, including failing to: 1) ask for criminal history, 2) obtain  
25 the names of all adults and children in the home, 3) ask if anyone in the household had ever been in  
26 counseling, 4) hold a Team Decision Making Meeting, and 5) identify relatives for potential placement.

27 28. On March 8, 2022, CWS Social Worker Brenda Parker submits a Dependency Petition to  
28 the Tulare County Juvenile Court concerning NYCHOLAS PARRAZ, stating the infant's mother "does



1 not have the means or adequate support to provide the child with a healthy and safe home.” The court  
2 orders genetic testing for NYCHOLAS PARRAZ and Plaintiff SHAYNE MAUPIN. CWS is authorized  
3 to return NYCHOLAS PARRAZ to ALISSA PARRAZ only “if she has appropriate housing.”

4 29. On April 22, 2022, the Tulare County Juvenile Court holds a Jurisdictional &  
5 Dispositional Review Hearing where it is found that NYCHOLAS PARRAZ cannot be returned to  
6 ALISSA PARRAZ on account of her current home environment. CWS is encouraged to detain  
7 ALISSA PARRAZ and make her a dependent of the court, so both her and NYCHOLAS PARRAZ can  
8 be together in foster care. CWS did not do so.

9 30. On May 4, 2022, CWS was required, pursuant to Welfare and Institutions Code section  
10 16501 and CDSS All County Letter No. 16-84, to organize and hold a Child & Family Team Meeting  
11 for NYCHOLAS PARRAZ. CWS did not do so.

12 31. On May 31, 2022, paternity results determine Plaintiff SHAYNE MAUPIN is the  
13 biological father of NYCHOLAS PARRAZ based on genetic markers.

14 32. On July 17, 2022, CWS Social Worker Defendant TERESA GONZALEZ—who was  
15 assigned as NYCHOLAS PARRAZ’s case social worker and charged with making placement decisions  
16 for him—spoke to ALISSA PARRAZ’s caregiver, Jennifer Analla, who reported the home where she  
17 and ALISSA PARRAZ lived was raided by police. She further reports that her and ALISSA PARRAZ  
18 are moving out because the home is not a safe place for them right now. Ms. Analla informs Defendant  
19 TERESA GONZALEZ of their intent to move to the Goshen Household. Defendant TERESA  
20 GONZALEZ **does nothing with this information.**

21 33. On July 19, 2022, the Tulare County Juvenile Court holds a Jurisdictional /Dispositional  
22 Review Hearing where CWS is instructed to assess the Goshen Household and has the discretion to  
23 return NYCHOLAS PARRAZ to ALISSA PARRAZ if the home is approved. As part of the  
24 Jurisdictional/Dispositional Review Hearing, CWS submits the initial case plan for NYCHOLAS  
25 PARRAZ pursuant to Welfare & Institutions Code § 16501.1. ALISSA PARRAZ’s objectives were 1)  
26 Obtain and maintain a stable and suitable residence for yourself and your child; 2) use the skills learned  
27 in parenting classes during supervised visits; and 3) pay attention to and monitor the child’s health,  
28 safety, and well-being. CWS’ responsibilities were to work with the mother to determine her progress

1 in obtaining skills and knowledge necessary to appropriately care for and supervise the child,  
2 NYCHOLAS PARRAZ. CWS was also required to work with the mother to determine what has been  
3 done to promote safety, security and supervision within the home environment, and to determine what  
4 else needs to happen in order for the child, NYCHOLAS PARRAZ to safely return to the home.

5 34. On August 17, 2022, NYCHOLAS PARRAZ's case is transferred from Defendant  
6 TERESA GONZALEZ to CWS Social Worker Defendant ESTEFANIA PADILLA. CWS Supervisor  
7 Defendant MAGGIE PRUNEDA was at all relevant times Defendant ESTEFANIA PADILLA's  
8 immediate supervisor, responsible for overseeing her performance, and ratified her acts and omissions.

9 35. On September 22, 2022, Defendant ESTEFANIA PADILLA conducts a criminal  
10 background check on certain members of the Goshen Household. One of the individuals checked was  
11 an active gang member known to reside in the Goshen Household. This individual's background check  
12 revealed numerous felony convictions and charges from 1997 to 2022, including exhibiting firearms in  
13 the presence peace officer, possession and sale of narcotics, criminal street gang affiliation, assault with  
14 deadly weapon, resisting arrest, street terrorism, discharge firearm with gross negligence, and willful  
15 disregard for safety while evading officers, amongst many other crimes.

16 36. From September 22, 2022 to when ALISSA PARRAZ and NYCHOLAS PARRAZ are  
17 murdered, Defendant ESTEFANIA PADILLA possessed actual knowledge that the Goshen Household  
18 posed a significant risk of gang violence to ALISSA PARRAZ and NYCHOLAS PARRAZ. Despite  
19 this knowledge and despite being required pursuant to the SDM® Policy and Procedures Manual,  
20 California DSS Child Welfare Services Regulation section 31-205.113, and All County Letter 09-31, to  
21 assess the Goshen Household, including all adults living in the Goshen Household, for the purposes of  
22 determining whether the child should be returned home to the Goshen Household, Defendant  
23 ESTEFANIA PADILLA, in violation of her mandatory duties, **did nothing with this information.**

24 37. On October 20, 2022, ALISSA PARRAZ requests the Tulare County Juvenile Court  
25 return NYCHOLAS PARRAZ to her care at the Goshen Household under a Family Maintenance Case  
26 Plan. The Court schedules a hearing for November 15, 2022.

27 38. On November 4, 2022, CWS was required, pursuant to Welfare and Institutions Code  
28 section 16501 and CDSS All County Letter No. 16-84, to organize and hold a Child & Family Team

1 Meeting for NYCHOLAS PARRAZ. CWS did not do so.

2 39. On November 15, 2022, the Tulare County Juvenile Court holds the hearing on ALISSA  
3 PARRAZ's request for Family Maintenance. Defendant ESTEFANIA PADILLA's report noted CWS  
4 was "*aware of the maternal great grandfather's extensive criminal history*" and threats to Plaintiff  
5 SHAYNE MAUPIN affecting his visitation with NYCHOLAS PARRAZ. ALISSA PARRAZ's request  
6 for Family Maintenance is denied but she is permitted to have unsupervised and overnight visitation  
7 with NYCHOLAS PARRAZ at the Goshen Household. Defendant ESTEFANIA PADILLA does not  
8 inform the court she has never been to Goshen Household nor conducted the required assessment of the  
9 Goshen Household and all adults living therein. Defendant ESTEFANIA PADILLA also does not  
10 inform the court that active gang members reside in the Goshen Household.

11 40. On December 19, 2022, a CANRA referral is generated by CWS alleging NYCHOLAS  
12 PARRAZ had a deep 3-inch scratch to the back of his neck. CWS Social Worker Defendant JALYN E.  
13 ANDRADE is assigned to investigate the referral and learns that an active gang member resides in the  
14 Goshen Household. Defendant JALYN E. ANDRADE **did nothing with this information**. Defendant  
15 JALYN E. ANDRADE also fails to complete the Referral Assessment Review, including failing to: 1)  
16 ask for criminal history, 2) obtain the names of all adults and children in the home, and 3) contact law  
17 enforcement to inquire if they have had any contacts with adults in the home.

18 **C. The January 3, 2023 Warrant Check At The Goshen Household**

19 41. On January 3, 2023, law enforcement personnel from the TULARE COUNTY  
20 SHERIFF'S OFFICE, including Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
21 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD,  
22 conduct a parole compliance check at the Goshen Household. Two minors, including ALISSA  
23 PARRAZ, are present at the time. Rosa Parraz informs Defendant MATTHEW ASKEW that they were  
24 shooting guns on New Years Eve and 13 rounds of live ammunition were found located in an unlocked  
25 shed. One member of the Goshen Household confirms to Defendant MATTHEW ASKEW that he  
26 resides at the Goshen Household and he currently is an active gang member. As part of a search of the  
27 premises, methamphetamine, methamphetamine pipes, body armor, AR Style rifles with no serial  
28 number, a handgun, a shotgun, ammunition, shell casings, and bullet holes in the walls are found.

1           42. Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON,  
2 JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD failed to  
3 investigate ALISSA PARRAZ's circumstances, a minor who was present at the time of the warrant  
4 check, and NYCHOLAS PARRAZ's circumstances, who resided there part-time and whose presence in  
5 the home was readily apparent by virtue of his crib and other belongings, to determine whether there is  
6 reasonable suspicion that the Goshen Household was unsuitable for the minors.



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24           43. Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON,  
25 JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD also failed to  
26 report the known or suspected instance of child abuse/neglect of ALISSA PARRAZ and NYCHOLAS  
27 PARRAZ to CWS immediately or as soon as practically possible by telephone and preparing and  
28 sending a written report thereof within 36 hours of receiving the information concerning the incident.

1 **D. The Tragic Murder Of Alissa Parraz and Nycholas Parraz**

2 44. On January 4, 2023, Defendant ESTEFANIA PADILLA completes a Reunification  
3 Reassessment for ALISSA PARRAZ even though she has never been to the Goshen Household as  
4 required, and does not assess all adults residing in the home as required, in particular active gang  
5 members and known to CWS to reside at the Goshen Household.

6 45. On January 13, 2023, the Tulare County Juvenile Court holds a Status Review Hearing  
7 where Defendant ESTEFANIA PADILLA recommends NYCHOLAS PARRAZ be returned to  
8 ALISSA PARRAZ full time under a Family Maintenance Case Plan. Defendant ESTEFANIA  
9 PADILLA never informs the Court of the presence of gang activity in the Goshen Household, and  
10 never informs the Court she has never assessed the home as required. As a result, the Goshen  
11 Household was not assessed for safe conditions and to determine whether adults residing in the home or  
12 who have significant contact with others in the home pose a threat to the safety or well-being of  
13 NYCHOLAS PARRAZ as required. NYCHOLAS PARRAZ's placement in the Goshen Household put  
14 him at grave risk of suffering harm, injury, and/or death due to the potential for gang violence.

15 46. On January 13, 2023, NYCHOLAS PARRAZ is returned to care of ALISSA PARRAZ  
16 in the Goshen Household.

17 47. On January 16, 2023 at 3:30am, during an attack deemed the "Goshen Massacre,"  
18 perpetrated by rival gang members targeting the Goshen Household, NYCHOLAS PARRAZ is shot  
19 execution style with a gunshot wound to the head. ALISSA PARRAZ is also murdered, shot execution  
20 style with gunshot wounds to the head, torso, and extremities.

21 **E. Shayne Maupin's Close Relationship And Special Bond With Alissa And Nycholas Parraz**

22 48. Prior to their deaths, ALISSA PARRAZ and NYCHOLAS PARRAZ shared a close  
23 familial relationship and special bond with Plaintiff SHAYNE MAUPIN. These relationships included:  
24 (a) child rearing; (b) cohabitation in the same residence; and (c) deep attachments, commitments, and  
25 distinctively personal aspects of their lives.

26 49. With respect to NYCHOLAS PARRAZ, Plaintiff SHAYNE MAUPIN's relationship  
27 was typical of a loving father-son relationship, traveling monthly via train, bus, car, and/or even  
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1 walking from Modoc County to Tulare County to attend visitations with him, providing and caring for  
2 him, clothing and feeding him, participating in parenting classes, and spending time together.

3 50. With respect to ALISSA PARRAZ, Plaintiff SHAYNE MAUPIN's relationship was  
4 that of high school sweethearts, the couple started dating on June 1, 2020, later becoming engaged in  
5 December 2021. In or about June 2021, Plaintiff SHAYNE MAUPIN and ALISSA PARRAZ decided  
6 to have a child together, NYCHOLAS PARRAZ, were cohabitating with each other, providing and  
7 caring for one another, and spending time together. At the time of her death, ALISSA PARRAZ was  
8 Plaintiff SHAYNE MAUPIN's fiancé and they were planning on spending the rest of their lives  
9 together with their son, NYCHOLAS PARRAZ.



**V. POLICY OR CUSTOM ALLEGATIONS**

**A. Tulare County Child Welfare Services**

51. For all periods relevant to this Complaint, Defendant COUNTY OF TULARE, including through its entity CWS, established and/or followed procedures, customs, and/or practices which were the moving force behind the violations of Decedents ALISSA PARRAZ and NYCHOLAS PARRAZ’s constitutional rights, including those under the Fourteenth Amendments, by, but not limited to:

- A. the custom and/or practice of overwhelming its social workers with caseloads that far exceed prescribed limits and that effectively prevent adequate management of assigned cases, directly and indirectly resulting in inadequate monitoring of the health and safety of children;
- B. the custom and/or practice of maintaining children in households known or suspected to pose a serious risk of harm and/or injury, as well as physically and/or emotionally abusive and/or neglectful;
- C. the custom and/or practice of failing to properly investigate allegations of neglect or abuse;
- D. the custom and/or practice of failing to conduct home assessments;
- E. the custom and/or practice of failing to assess all adults within a placement household; and
- F. by acting with deliberate indifference in implementing a practice of inadequate training and/or supervision, and/or by failing to train and/or supervise its officers, agents, employees and state actors, in providing the constitutional protections guaranteed to individuals, including those under the Fourteenth Amendment, when performing actions related to the placement of foster children and the investigation and reporting of child neglect and abuse.

(This list is not exhaustive due to the pending nature of discovery and the privileged and protected records of investigative and juvenile dependency type proceedings. Plaintiff may seek leave to amend this pleading as more information becomes available.)

52. With respect to infants in particular, Defendant COUNTY OF TULARE, including through its entity CWS, established and/or followed procedures, customs, and/or practices which were the moving force behind the violations of NYCHOLAS PARRAZ’s constitutional rights, including those under the Fourteenth Amendments, by acting with deliberate indifference to the health, safety, and welfare of infants.

1           53.       On information and belief, Defendant COUNTY OF TULARE was or should have been  
 2 on notice of these policies, customs, or practices, or the inadequacy of the policies, customs, or  
 3 practices, through multiple sources, including multiple instances of infants in its care, custody, and  
 4 control dying or experiencing near death experiences, including:

- 5           A. The infant J.G., who in the year 2020 at 10 months old, suffered global anoxic brain injury  
 6 and near brain death due to malnutrition, due to CWS ignoring a CANRA referral  
 7 concerning the infant’s endangerment;
- 8           B. The infants Sierra Denton (6 months old), Terry Denton (2 years old), and Joanna Denton (3  
 9 years old), who in the year 2021, were murdered due to CWS ignoring and mishandling  
 10 CANRA referrals concerning the infants’ endangerment;
- 11           C. The infant Quinton Barnett, who in the year 2022 at 13 months old, died in his foster  
 12 placement, due to CWS ignoring the infant’s known medical needs;
- 13           D. The infant Chance Shearer Lee, who in the year 2022 at several months old, died in his  
 14 foster placement, due to CWS failing to protect the infant from his drug addicted parent; and
- 15           E. The infant AnneMarie Navarette, who in the year 2023 at several months old, died in her  
 16 foster placement, due to CWS ignoring the infant’s known medical needs.

17 (This list is not exhaustive due to the pending nature of discovery and the privileged and protected  
 18 records of investigative and juvenile dependency type proceedings. Plaintiff may seek leave to amend  
 19 this pleading as more information becomes available.)

20           54.       Defendant COUNTY OF TULARE knew, or should have known, that by breaching the  
 21 above-mentioned duties and obligations that it was reasonably foreseeable that CWS’ policies,  
 22 practices, customs, and usages would, and did, cause ALISSA PARRAZ and NYCHOLAS PARRAZ  
 23 to be harmed by COUNTY OF TULARE’s wrongful policies, or deliberate lack thereof, and was  
 24 deliberately indifferent to the risk of such injury or harm. The aforementioned breaches and failures of  
 25 COUNTY OF TULARE occurred in contravention of public policy and their legal duties and  
 26 obligations ALISSA PARRAZ and NYCHOLAS PARRAZ.



1 **B. Tulare County Sheriff's Office**

2 55. For all periods relevant to this Complaint, Defendant COUNTY OF TULARE, including  
 3 through its entity TULARE COUNTY SHERIFF'S OFFICE, established and/or followed procedures,  
 4 customs, and/or practices which were the moving force behind the violations of Decedents ALISSA  
 5 PARRAZ and NYCHOLAS PARRAZ's constitutional rights, including those under the Fourteenth  
 6 Amendments, by, but not limited to:

- 7 A. the custom and/or practice of failing to bring to the attention to the county welfare  
 8 department that the home in which a child resides is unsuitable for the child because of  
 9 abuse or neglect of the child;
- 10 B. the custom and/or practice of failing to investigate a child's circumstances to determine  
 11 whether there is reasonable suspicion of child abuse/neglect;
- 12 C. the custom and/or practice of failing to report to the county welfare department, the district  
 13 attorney, and the Department of Justice reasonable suspicions of child abuse/neglect;
- 14 D. the custom and/or practice of failing to make reports of child abuse/neglect either  
 15 immediately or within 36 hours of receiving the information; and
- 16 E. by acting with deliberate indifference in implementing a practice of inadequate training  
 17 and/or supervision, and/or by failing to train and/or supervise its officers, agents, employees  
 18 and state actors, in providing the constitutional protections guaranteed to individuals,  
 19 including those under the Fourteenth Amendment, when performing actions related to the  
 20 reasonable suspicions of child abuse/neglect and the unsuitability of the home in which such  
 21 children reside because of abuse/neglect.

22 56. Defendant COUNTY OF TULARE knew, or should have known, that by breaching the  
 23 above-mentioned duties and obligations that it was reasonably foreseeable that TULARE COUNTY  
 24 SHERIFF'S OFFICE's policies, practices, customs, and usages would, and did, cause ALISSA  
 25 PARRAZ and NYCHOLAS PARRAZ to be harmed by COUNTY OF TULARE's wrongful policies,  
 26 or deliberate lack thereof, and was deliberately indifferent to the risk of such injury or harm. The  
 27 aforementioned breaches and failures of COUNTY OF TULARE occurred in contravention of public  
 28 policy and their legal duties and obligations ALISSA PARRAZ and NYCHOLAS PARRAZ.

1 **FIRST CAUSE OF ACTION**

2 **Failure To Perform Mandatory Duty (Gov. Code § 815.6)**

3 **FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANT THE COUNTY OF**  
4 **TULARE AND DOES 1-25 FOR PUBLIC ENTITY LIABILITY FOR FAILURE TO**  
5 **PERFORM A MANDATORY DUTY, PLAINTIFF ALLEGES:**

6 57. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
7 paragraphs as though set forth in full in this cause of action.

8 58. Plaintiff alleges this cause of action pursuant to California Government Code § 815.6  
9 which states “where a public entity is under a mandatory duty imposed by an enactment that is  
10 designed to protect against the risk of a particular kind of injury, the public entity is liable for injury of  
11 that kind proximately caused by its failure to discharge the duty unless the public entity establishes that  
12 it exercised reasonable diligence to discharge the duty.”

13 59. Plaintiffs were harmed because employees of Defendant COUNTY OF TULARE,  
14 specifically CWS and TULARE COUNTY SHERIFF’S OFFICE, and DOES 1-25 repeatedly violated  
15 their mandatory duties specified in the California Welfare and Institutions Code, Penal Code, Resource  
16 Family Approval Program Written Directives, SDM® Policy and Procedures Manual, the County of  
17 Tulare Child Welfare Services Handbook, All County Letters, and Division 31 Regulations.

18 60. From March 2022 to January 2023, CWS and TULARE COUNTY SHERIFF’S  
19 OFFICE failed to abide by their mandatory duties causing the tragic deaths of NYCHOLAS PARRAZ  
20 and ALISSA PARRAZ.

21 61. Of particular importance, on November 15, 2022, CWS began the process of returning  
22 the infant NYCHOLAS PARRAZ to the Goshen Household. Prior to placement in the Goshen  
23 Household, employees of CWS, specifically Defendant ESTEFANIA PADILLA—the ongoing case  
24 social worker, pursuant to SDM® Policy and Procedures Manual, California DSS Child Welfare  
25 Services Manual section 31-205.113, and All County Letter 09-31, were required to assess the Goshen  
26 Household, including all adults living in the Goshen Household, for the purposes of determining  
27 whether the child should be returned home to the Goshen Household. Notwithstanding this  
28 requirement, CWS failed to assess the Goshen Household and placed the infant NYCHOLAS PARRAZ

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1 there, despite the presence of active gang members in the Goshen Household putting him at risk of  
2 suffering harm, injury and/or death due to gang violence.

3         62. Later, in January 2023, law enforcement personnel from the TULARE COUNTY  
4 SHERIFF'S OFFICE, including Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
5 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, and ROBBY HEBRARD,  
6 conducted a warrant check at the Goshen Household on January 3, 2023. Despite the presence of two  
7 admitted active gang members in the home, as well as methamphetamine, methamphetamine pipes,  
8 body armor, AR Style rifles with no serial number, a handgun, a shotgun, ammunition, and shell  
9 casings, the TULARE COUNTY SHERIFF'S OFFICE failed to investigate ALISSA PARRAZ's  
10 circumstances, a minor who was present at the time of the warrant check, and NYCHOLAS  
11 PARRAZ's circumstances, who resided there part-time and whose presence in the home was readily  
12 apparent by virtue of his crib and other belongings, to determine whether there is reasonable suspicion  
13 that the Goshen Household was unsuitable for the minors. The TULARE COUNTY SHERIFF'S  
14 OFFICE further improperly failed to report the known or suspected instance of child abuse/neglect of  
15 ALISSA PARRAZ and NYCHOLAS PARRAZ to CWS immediately or as soon as practically possible  
16 by telephone and preparing and sending a written report thereof within 36 hours of receiving the  
17 information concerning the incident.

18         63. If CWS and the TULARE COUNTY SHERIFF'S OFFICE had discharged their  
19 mandatory duties, this tragedy could have been averted. As a result of this improper placement, failure  
20 to monitor and failure to report and investigate known and suspected improper conduct as required and  
21 failure to immediately remove the infant NYCHOLAS PARRAZ from a placement presenting a high  
22 risk of abuse and injury to NYCHOLAS PARRAZ and in violation of the mandatory duties by the  
23 CWS and the TULARE COUNTY SHERIFF'S OFFICE, and their agents and employees, ALISSA  
24 PARRAZ and NYCHOLAS PARRAZ were murdered.

25         64. Plaintiff alleges that Defendant COUNTY OF TULARE, by and through its agents and  
26 employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
27 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
28 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 1 through 25

1 violated the following mandatory duties set forth in specific provisions of the Constitution, statutes,  
2 regulations, policies and other enactments including, but not limited to:

- 3 A. The 14<sup>th</sup> Amendment to the United States Constitution by failing to provide reasonable  
4 safety and minimally adequate care as part of a dependent child's protected liberty interest  
5 that is owed once the state assumes wardship of a child. *Tamas v. Department of Social &*  
6 *Health Services* (9th Cir. 2010) 630 F.3d 833, 842;
- 7 B. California *Penal Code* §§ 11166 et seq. by failing to report known and/or suspected neglect  
8 and/or abuse of NYCHOLAS PARRAZ and/or his minor caretaker, ALISSA PARRAZ;
- 9 C. California *Penal Code* § 11166(f) by failing to bring the condition of the Goshen Household  
10 to the attention to the county welfare department report despite knowing or reasonably  
11 suspecting that the Goshen Household was unsuitable for NYCHOLAS PARRAZ and/or his  
12 minor caretaker, ALISSA PARRAZ, because of abuse or neglect;
- 13 D. California *Penal Code* § 11166(a), (k) by failing to investigate the circumstances of  
14 NYCHOLAS PARRAZ and/or his minor caretaker, ALISSA PARRAZ, to determine  
15 whether there is reasonable suspicion to support an allegation child abuse/neglect and to  
16 trigger a report to the county welfare department either immediately or within 36 hours of  
17 receiving the information concerning the incident;
- 18 E. California Welfare and Institutions Code § 16501 and CDSS All County Letter No. 16-84,  
19 by failing to organize and hold a Child & Family Team Meeting for NYCHOLAS PARRAZ  
20 for the purposes of: 1) protecting and promoting his welfare; 2) preventing or remedying, or  
21 assisting in the solution of problems that may result in his neglect, abuse, exploitation, or  
22 delinquency; and 3) identifying family problems, assisting families in resolving their  
23 problems, and preventing breakup of the family where the prevention of child removal is  
24 desirable and possible;
- 25 F. Regulation 31-101 of the CDSS Manual of Policies and Procedures by failing to assign a  
26 social worker skilled in emergency response to respond to CANRA referrals involving  
27 NYCHOLAS PARRAZ;  
28

- 1 G. Regulation 31-125 of the CDSS Manual of Policies and Procedures by failing in response to
- 2 CANRA referrals to determine the potential for or the existence of any condition which
- 3 placed NYCHOLAS PARRAZ at risk and in need of services and which would cause the
- 4 child to be a person described by Welfare and Institutions Code Sections 300(a) through (j);
- 5 H. The County of Tulare CWS policies and procedures by failing to properly complete Safety
- 6 Assessments, Risk Assessments, and Referral Assessment Reviews in response to CANRA
- 7 referrals involving NYCHOLAS PARRAZ, including failing to: 1) ask for criminal history,
- 8 2) obtain the names of all adults and children in the home, and 3) contact law enforcement to
- 9 inquire if they have had any contacts with adults in the home;
- 10 I. Regulation 31-205.113 of the CDSS Manual of Policies and Procedures, as further defined
- 11 in All County Letter 09-31 and CDSS SDM® Policy and Procedures Manual, by failing to
- 12 complete an assessment of all adults living in the Goshen Household at the time of each
- 13 status review hearing, but no less often than once every six months, for the purposes of
- 14 determining whether the Goshen Household was safe for NYCHOLAS PARRAZ;
- 15 J. Regulation 31-205.17 of the CDSS Manual of Policies and Procedures by failing to
- 16 complete an assessment of all relatives of NYCHOLAS PARRAZ at the time of each status
- 17 review hearing, but no less often than once every six months;
- 18 K. Regulation 31-301 of the CDSS Manual of Policies and Procedures by failing to ensure that
- 19 the provision of all services were consistent with the case plan goals specified in the case
- 20 plan of NYCHOLAS PARRAZ;
- 21 L. Regulation 31-310 of the CDSS Manual of Policies and Procedures by failing to monitor the
- 22 physical and emotional condition of NYCHOLAS PARRAZ, by failing to provide services
- 23 appropriate to meet those needs, and by failing to take action as necessary to ensure that
- 24 NYCHOLAS PARRAZ’s protective needs were met;
- 25 M. Regulation 31-325 of the CDSS Manual of Policies and Procedures by failing to verify the
- 26 location of the NYCHOLAS PARRAZ’s parents, specifically ALISSA PARRAZ, to assess
- 27 the functioning of the parents as it pertains to meeting the child’s basic and special care
- 28 needs, and the safe maintenance of the child in the Goshen Household;

- 1 N. Regulation 31-335 of the CDSS Manual of Policies and Procedures by failing to make  
2 documented contact with any service providers, collaterals, or other professionals of  
3 ALISSA PARRAZ and NYCHOLAS PARRAZ, by failing to request written reports from  
4 said service providers, collateral, or other professionals, and by failing to ensure such reports  
5 are received and documented in the case record;
- 6 O. Regulation 31-401 of the CDSS Manual of Policies and Procedures by failing to present at  
7 the time of placement in the Goshen Household; and
- 8 P. Regulation 31-501 of the CDSS Manual of Policies and Procedures by failing to report  
9 and/or properly investigate reports of physical abuse or neglect of NYCHOLAS PARRAZ.

10 65. Plaintiffs allege that Defendant COUNTY OF TULARE, by and through its agents and  
11 employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
12 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
13 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 1 through 25  
14 breached their mandatory duties as set forth in the preceding paragraph during the period of on or about  
15 March 2022 through on or about January 16, 2023. Plaintiff alleges that the mandatory duties set forth  
16 in the preceding paragraph were designed to protect against the risk of the particular kind of injuries to  
17 which NYCHOLAS PARRAZ subjected.

18 66. Plaintiffs allege that had Defendant COUNTY OF TULARE, by and through its agents  
19 and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
20 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
21 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 1 through 25  
22 not breached their mandatory duties as herein alleged, they would have been required to act upon  
23 evidence of the inappropriateness of the Goshen Household and placement of NYCHOLAS PARRAZ  
24 with ALISSA PARRAZ in the Goshen Household, including but not limited to the information  
25 contained in the factual allegations section of this Complaint set forth above.

26 67. Defendants would have been obligated to take measures to protect NYCHOLAS  
27 PARRAZ or to remove him from the Goshen Household where there was a high risk he would  
28 subjected to harm, injury, and/or death due to gang violence, as well as abuse, neglect, and/or

1 exploitation. Therefore, as a proximate result of Defendants' failures to fulfill their mandatory duties,  
2 NYCHOLAS PARRAZ was murdered.

3 68. Plaintiffs allege that Defendant COUNTY OF TULARE, by and through its agents and  
4 employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
5 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
6 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 1 through 25  
7 assumed duties to oversee, monitor and regulate the conduct of ALISSA PARRAZ, all adults residing  
8 in the Goshen Household, and all adults who have significant contact with others in the Goshen  
9 Household as it relates to NYCHOLAS PARRAZ. NYCHOLAS PARRAZ relied upon Defendants to  
10 fulfill these assumed duties, thereby establishing a special relationship between NYCHOLAS PARRAZ  
11 and Defendants. Plaintiff further alleges that Defendants have breached other statutory and common  
12 law duties by additional specific acts or omissions of which Plaintiff is presently unaware and will seek  
13 leave of the Court to amend this Complaint when Plaintiff discovers such acts or omissions or at time  
14 of trial.

15 69. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
16 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
17 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
18 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
19 DOES 1 through 25, Plaintiff SHAYNE MAUPIN has suffered the loss of NYCHOLAS PARRAZ's  
20 love, companionship, comfort, care, assistance, protection, affection, society, and moral support.

21 70. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
22 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
23 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
24 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
25 DOES 1 through 25, Plaintiff SHAYNE MAUPIN has suffered the following economic damages as a  
26 result of the death of his son according to proof:

- 27 A. The value of the financial support that NYCHOLAS PARRAZ would have contributed to  
28 the Plaintiff SHAYNE MAUPIN during his lifetime;

1 B. Funeral and burial expenses;

2 C. The loss of gifts or benefits that Plaintiff SHAYNE MAUPIN could have expected to  
3 receive from NYCHOLAS PARRAZ; and

4 D. Household services that NYCHOLAS PARRAZ would have provided.

5 71. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
6 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
7 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
8 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
9 DOES 1 through 25, NYCHOLAS PARRAZ incurred general damages prior to his death, and was  
10 severely harmed, endured pain, suffering, disability, impairment, disfigurement, inconvenience, loss of  
11 enjoyment of life, scarring, and other non-economic damages.

12 72. Plaintiff SHAYNE MAUPIN is the personal representative or a successor in interest and  
13 authorized to bring a survival action on behalf of the NYCHOLAS PARRAZ’s Estate pursuant to Code  
14 of Civil Procedure § 377.31, *et seq.*

15 73. Plaintiff SHAYNE MAUPIN, as the personal representative or a successor in interest to  
16 NYCHOLAS PARRAZ, is entitled to recover NYCHOLAS PARRAZ’s pre-death economic and non-  
17 economic damages against Defendant COUNTY OF TULARE.  
18

19 **SECOND CAUSE OF ACTION**

20 **Negligent Hiring, Supervision, or Retention (Gov. Code §§ 815.2 and 820)**

21 **FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANT COUNTY OF**  
22 **TULARE AND DOES 1-25 FOR NEGLIGENT HIRING, SUPERVISION, OR RETENTION OF**  
23 **EMPLOYEE, PURSUANT TO GOVERNMENT CODE SECTIONS 815.2 AND 820,**  
24 **PLAINTIFF ALLEGES:**

25 74. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
26 paragraphs as though set forth in full in this cause of action.

27 75. Plaintiff alleges this cause of action pursuant to Government Code sections 815.2 and  
28 820. Government Code section 815.2, subsection (a) states that a “public entity is liable for injury



1 proximately caused by an act or omission of an employee of the public entity within the scope of his  
2 employment if the act or omission would, apart from this section, have given rise to a cause of action  
3 against that employee or personal representative.” Government Code section 820, subsection (a)  
4 provides that “a public employee is liable for injury caused by his act or omission to the same extent as  
5 a private person.”

6 76. Plaintiff was harmed because Defendants COUNTY OF TULARE and DOES 1-25,  
7 inclusive, violated the California Welfare and Institutions Code, Penal Code, Resource Family  
8 Approval Program Written Directives, SDM® Policy and Procedures Manual, the County of Tulare  
9 Child Welfare Services Handbook, All County Letters, and Division 31 Regulations. Defendant  
10 COUNTY OF TULARE is responsible for that harm because it negligently hired, supervised, and  
11 retained its employees, including TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
12 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
13 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
14 DOES 26-50.

15 77. Defendants COUNTY OF TULARE and DOES 1-25, inclusive, failed to properly  
16 supervise and train their employees, including TERESA GONZALEZ, ESTEFANIA PADILLA,  
17 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
18 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
19 HEBRARD, and DOES 26-50, in their aforementioned mandated duties pursuant to California Welfare  
20 and Institutions Code, Penal Code, Resource Family Approval Program Written Directives, SDM®  
21 Policy and Procedures Manual, the County of Tulare Child Welfare Services Handbook, All County  
22 Letters, and Division 31 Regulations, and performing these mandated duties.

23 78. Defendants COUNTY OF TULARE and Does 1-25, inclusive, hired their employees,  
24 including TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
25 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
26 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50, while  
27 these employees were unfit and incompetent, or became unfit or incompetent, to perform the work for  
28 which they were hired. Defendant COUNTY OF TULARE knew or should have known that their

1 employees were unfit or incompetent, or became unfit or incompetent, and that this unfitness or  
2 incompetence created a particular risk to others.

3 79. The unfitness or incompetence of the COUNTY OF TULARE's and DOES 1-25's  
4 employees, including TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN  
5 E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
6 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50, harmed  
7 Plaintiff SHAYNE MAUPIN in that it led to the death of his infant son, NYCHOLAS PARRAZ, and  
8 Defendant COUNTY OF TULARE's negligence in hiring, supervising, or retaining its aforementioned  
9 employees was a substantial factor in causing Plaintiff SHAYNE MAUPIN's harm.

10 80. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
11 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
12 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
13 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
14 DOES 1 through 25, Plaintiff SHAYNE MAUPIN has suffered the loss of NYCHOLAS PARRAZ's  
15 love, companionship, comfort, care, assistance, protection, affection, society, and moral support.

16 81. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
17 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
18 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
19 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
20 DOES 1 through 25, Plaintiff SHAYNE MAUPIN has suffered the following economic damages as a  
21 result of the death of his son according to proof:

- 22 A. The value of the financial support, if any, that NYCHOLAS PARRAZ would have  
23 contributed to the Plaintiff SHAYNE MAUPIN during his lifetime;
  - 24 B. Funeral and burial expenses;
  - 25 C. The loss of gifts or benefits that Plaintiff SHAYNE MAUPIN could have expected to  
26 receive from NYCHOLAS PARRAZ; and
  - 27 D. Household services that NYCHOLAS PARRAZ would have provided.
- 28



1           87. Plaintiffs do not assert direct liability against Defendant COUNTY OF TULARE in this  
2 cause of action. Plaintiff asserts only *respondeat superior* vicarious liability against Defendant  
3 COUNTY OF TULARE for the acts and/or omissions of its employees and agents.

4           88. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned  
5 herein, Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN  
6 E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
7 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50,  
8 inclusive, carelessly, negligently, grossly negligently, and recklessly failed to discharge their duties set  
9 forth in the California Welfare and Institutions Code, Penal Code, Resource Family Approval Program  
10 Written Directives, SDM® Policy and Procedures Manual, the County of Tulare Child Welfare  
11 Services Handbook, All County Letters, and Division 31 Regulations in a reasonable manner with  
12 respect NYCHOLAS PARRAZ, putting him at grave risk of harm and ultimately causing his death.

13           89. Plaintiff alleges that Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
14 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
15 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
16 HEBRARD, and DOES 26 through 50 violated the following mandatory duties set forth in specific  
17 provisions of the Constitution, statutes, regulations, policies and other enactments including, but not  
18 limited to:

- 19           A. The 14<sup>th</sup> Amendment to the United States Constitution by failing to provide reasonable  
20 safety and minimally adequate care as part of a dependent child's protected liberty interest  
21 that is owed once the state assumes wardship of a child. *Tamas v. Department of Social &*  
22 *Health Services* (9th Cir. 2010) 630 F.3d 833, 842;
- 23           B. California *Penal Code* §§ 11166 *et seq.* by failing to report known and/or suspected neglect  
24 and/or abuse of NYCHOLAS PARRAZ and/or his minor caretaker, ALISSA PARRAZ;
- 25           C. California *Penal Code* § 11166(f) by failing to bring the condition of the Goshen Household  
26 to the attention to the county welfare department report despite knowing or reasonably  
27 suspecting that the Goshen Household was unsuitable for NYCHOLAS PARRAZ and/or his  
28 minor caretaker, ALISSA PARRAZ, because of abuse or neglect;

- 1 D. California *Penal Code* § 11166(a), (k) by failing to investigate the circumstances of  
2 NYCHOLAS PARRAZ and/or his minor caretaker, ALISSA PARRAZ, to determine  
3 whether there is reasonable suspicion to support an allegation child abuse/neglect and to  
4 trigger a report to the county welfare department either immediately or within 36 hours of  
5 receiving the information concerning the incident;
- 6 E. California Welfare and Institutions Code § 16501 and CDSS All County Letter No. 16-84,  
7 by failing to organize and hold a Child & Family Team Meeting for NYCHOLAS PARRAZ  
8 for the purposes of: 1) protecting and promoting his welfare; 2) preventing or remedying, or  
9 assisting in the solution of problems that may result in his neglect, abuse, exploitation, or  
10 delinquency; and 3) identifying family problems, assisting families in resolving their  
11 problems, and preventing breakup of the family where the prevention of child removal is  
12 desirable and possible;
- 13 F. Regulation 31-101 of the CDSS Manual of Policies and Procedures by failing to assign social  
14 workers skilled in emergency response to CANRA referrals for NYCHOLAS PARRAZ;
- 15 G. Regulation 31-125 of the CDSS Manual of Policies and Procedures by failing in response to  
16 CANRA referrals to determine the potential for or the existence of any condition which  
17 placed NYCHOLAS PARRAZ at risk and in need of services and which would cause the  
18 child to be a person described by Welfare and Institutions Code Sections 300(a) through (j);
- 19 H. The County of Tulare CWS policies and procedures by failing to properly complete Safety  
20 Assessments, Risk Assessments, and Referral Assessment Reviews in response to CANRA  
21 referrals involving NYCHOLAS PARRAZ, including failing to: 1) ask for criminal history,  
22 2) obtain the names of all adults and children in the home, and 3) contact law enforcement to  
23 inquire if they have had any contacts with adults in the home;
- 24 I. Regulation 31-205.113 of the CDSS Manual of Policies and Procedures, as further defined  
25 in All County Letter 09-31 and CDSS SDM® Policy and Procedures Manual, by failing to  
26 complete an assessment of all adults living in the Goshen Household at the time of each  
27 status review hearing, but no less often than once every six months, for the purposes of  
28 determining whether the Goshen Household was safe for NYCHOLAS PARRAZ;

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- J. Regulation 31-205.17 of the CDSS Manual of Policies and Procedures by failing to complete an assessment of all relatives of NYCHOLAS PARRAZ at the time of each status review hearing, but no less often than once every six months;
- K. Regulation 31-301 of the CDSS Manual of Policies and Procedures by failing to ensure that the provision of all services were consistent with the case plan goals specified in the case plan of NYCHOLAS PARRAZ;
- L. Regulation 31-310 of the CDSS Manual of Policies and Procedures by failing to monitor the physical and emotional condition of NYCHOLAS PARRAZ, by failing to provide services appropriate to meet those needs, and by failing to take action as necessary to ensure that NYCHOLAS PARRAZ’s protective needs were met;
- M. Regulation 31-325 of the CDSS Manual of Policies and Procedures by failing to verify the location of the NYCHOLAS PARRAZ’s parents, specifically ALISSA PARRAZ, to assess the functioning of the parents as it pertains to meeting the child’s basic and special care needs, and the safe maintenance of the child in the Goshen Household;
- N. Regulation 31-335 of the CDSS Manual of Policies and Procedures by failing to make documented contact with any service providers, collaterals, or other professionals of ALISSA PARRAZ and NYCHOLAS PARRAZ, by failing to request written reports from said service providers, collateral, or other professionals, and by failing to ensure such reports are received and documented in the case record;
- O. Regulation 31-401 of the CDSS Manual of Policies and Procedures by failing to present at the time of placement in the Goshen Household; and
- P. Regulation 31-501 of the CDSS Manual of Policies and Procedures by failing to report and/or properly investigate reports of physical abuse or neglect of NYCHOLAS PARRAZ.

90. Plaintiffs allege that Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26 through 50 breached their mandatory duties as set forth in the preceding paragraph during the period of on or about March 2022 through on or about January 16, 2023. Plaintiff

1 alleges that the mandatory duties set forth in the preceding paragraph were designed to protect against  
2 the risk of the particular kind of injuries to which NYCHOLAS PARRAZ subjected.

3 91. The provisions of the California Welfare and Institutions Code, Penal Code, Resource  
4 Family Approval Program Written Directives, SDM® Policy and Procedures Manual, the County of  
5 Tulare Child Welfare Services Handbook, All County Letters, and Division 31 Regulations were  
6 implemented to protect children dangerous households, like the Goshen Household, and the Defendants  
7 are presumed negligent for violating these laws.

8 92. Plaintiffs allege that had Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
9 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
10 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
11 HEBRARD, and DOES 26 through 50 not breached their mandatory duties as herein alleged, they  
12 would have been required to act upon evidence of the inappropriateness of the Goshen Household and  
13 placement of NYCHOLAS PARRAZ with ALISSA PARRAZ in the Goshen Household.

14 93. Defendants would have been obligated to take measures to protect NYCHOLAS  
15 PARRAZ or to remove him from the Goshen Household where they was a high risk he would subjected  
16 to harm, injury, and/or death due to gang violence, as well as abuse, neglect, and/or exploitation.  
17 Therefore, as a proximate result of Defendants' failures to fulfill their mandatory duties, NYCHOLAS  
18 PARRAZ was murdered.

19 94. Plaintiffs allege that Defendant COUNTY OF TULARE, by and through its agents and  
20 employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.  
21 ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
22 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26 through  
23 50 assumed duties to oversee, monitor and regulate the conduct of ALISSA PARRAZ, all adults  
24 residing in the Goshen Household, and all adults who have significant contact with others in the  
25 Goshen Household as it relates to NYCHOLAS PARRAZ. NYCHOLAS PARRAZ relied upon  
26 Defendants to fulfill these assumed duties, thereby establishing a special relationship between  
27 NYCHOLAS PARRAZ and Defendants. Plaintiff further alleges that Defendants have breached other  
28 statutory and common law duties by additional specific acts or omissions of which Plaintiff is presently

1 unaware and will seek leave of the Court to amend this Complaint when Plaintiff discovers such acts or  
2 omissions or at time of trial.

3 95. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
4 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
5 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
6 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
7 DOES 26 through 50, Plaintiff SHAYNE MAUPIN has suffered the loss of NYCHOLAS PARRAZ's  
8 love, companionship, comfort, care, assistance, protection, affection, society, and moral support.

9 96. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
10 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
11 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
12 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
13 DOES 26 through 50, Plaintiff SHAYNE MAUPIN has suffered the following economic damages as a  
14 result of the death of his son according to proof:

- 15 A. The value of the financial support that NYCHOLAS PARRAZ would have contributed to  
16 the Plaintiff SHAYNE MAUPIN during his lifetime;
- 17 B. Funeral and burial expenses;
- 18 C. The loss of gifts or benefits that Plaintiff SHAYNE MAUPIN could have expected to  
19 receive from NYCHOLAS PARRAZ; and
- 20 D. Household services that NYCHOLAS PARRAZ would have provided.

21 97. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
22 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
23 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
24 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
25 DOES 26 through 50, NYCHOLAS PARRAZ incurred general damages prior to his death, and was  
26 severely harmed, endured pain, suffering, disability, impairment, disfigurement, inconvenience, loss of  
27 enjoyment of life, scarring, and other non-economic damages.  
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1 infant, and without determining whether adults residing in the home or who have significant contact  
2 with others in the home pose a threat to the safety or well-being of NYCHOLAS PARRAZ as required.  
3 Defendants were subjectively aware of these facts from which an inference could be drawn that a  
4 substantial risk of serious harm existed. Either they drew that inference or would have been compelled  
5 to draw that inference.

6 104. The misconduct of Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
7 MAGGIE PRUNEDA, JALYN E. ANDRADE, and DOES 26-50 deprived NYCHOLAS PARRAZ of  
8 Fourteenth Amendment rights by affirmatively placing, deciding, or recommending that NYCHOLAS  
9 PARRAZ be placed in the Goshen Household, without engaging in any necessary acts to protect  
10 NYCHOLAS PARRAZ from future harm. Defendants' misconduct resulted in NYCHOLAS PARRAZ  
11 living with a foreseeable and significant risk of danger he otherwise would not have faced—that  
12 NYCHOLAS PARRAZ would die from gang violence.

13 105. Defendants MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON,  
14 JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-  
15 50 were deliberately indifferent to a known and obvious danger. An objective substantial risk of harm is  
16 exemplified by observing a minor mother, with a baby crib and other belongings of NYCHOLAS  
17 PARRAZ in her bedroom, in a home with two active gang members residing therein—as well as the  
18 presence of methamphetamine, methamphetamine pipes, body armor, AR Style rifles with no serial  
19 number, a handgun, a shotgun, ammunition, bullet holes in the walls, and shell casings—and doing  
20 nothing. Defendants were subjectively aware of these facts from which an inference could be drawn that  
21 a substantial risk of serious harm existed. Either they drew that inference or would have been compelled  
22 to draw that inference.

23 106. The misconduct of Defendants MATTHEW ASKEW, LUKE HAMILTON,  
24 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
25 HEBRARD, and DOES 26-50 deprived NYCHOLAS PARRAZ of Fourteenth Amendment rights by  
26 affirmatively failing to investigate the circumstances of NYCHOLAS PARRAZ and/or his minor  
27 caretaker, ALISSA PARRAZ, to protect NYCHOLAS PARRAZ from future harm. Defendants'  
28 misconduct resulted in NYCHOLAS PARRAZ living with a foreseeable and significant risk of danger

1 he otherwise would not have faced—that NYCHOLAS PARRAZ would die from gang violence.

2 107. Defendants subjected Plaintiff to their wrongful conduct, depriving Plaintiff and  
 3 Decedent NYCHOLAS PARRAZ of the rights described herein, knowingly, maliciously, and with  
 4 conscious and reckless disregard for whether the rights and safety of Plaintiff (individually and on  
 5 behalf of NYCHOLAS PARRAZ) and others would be violated by their acts.

6 108. As a direct and proximate result of each Defendant’s acts and/or affirmative decisions  
 7 not to act as set forth above, Plaintiff SHAYNE MAUPIN sustained the following injuries and  
 8 damages, past and future, including, but not limited to:

- 9 A. Wrongful death of NYCHOLAS PARRAZ;
- 10 B. Loss of economic support, including lost wages and earning capacity, by NYCHOLAS  
 11 PARRAZ;
- 12 C. Loss of support and familial relationships, including loss of love, companionship, comfort,  
 13 affection, society, services, solace, and moral support;
- 14 D. Emotional distress from the violations of his personal Constitutional rights, including grief,  
 15 sorrow, anxiety, worry, anger, humiliation, and indignity;
- 16 E. Loss of enjoyment of life;
- 17 F. All other legally cognizable special and general damages;
- 18 G. Violations of state and federal constitutional rights; and
- 19 H. All damages, punitive damages, and penalties recoverable under 42 U.S.C. §§ 1983 and  
 20 1988, 29 U.S.C. § 793, California Civil Code §§ 52 and 52.1, Cal. Code of Civil Procedure  
 21 1021.5, and as otherwise allowed under California and United States statutes, codes, and  
 22 common law.

23 109. As a direct and proximate result of each Defendant’s acts as set forth above, Plaintiff  
 24 SHAYNE MAUPIN, as Successor in Interest for Decedent NYCHOLAS PARRAZ, sustained the  
 25 following injuries and damages, past and future, including, but not limited to:

- 26 A. Hospital and medical expenses incurred by NYCHOLAS PARRAZ;
- 27 B. Coroner’s fees, funeral, and burial expenses;
- 28 C. NYCHOLAS PARRAZ’s loss of life, pursuant to federal civil rights law;

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D. NYCHOLAS PARRAZ’s conscious pain/suffering, pursuant to federal civil rights law; and  
 E. All damages, punitive damages, and penalties recoverable under 42 U.S.C. §§ 1983 and  
 1988, 29 U.S.C. § 793, California Civil Code §§ 52 and 52.1, Cal. Code of Civil Procedure  
 1021.5, and as otherwise allowed under California and United States statutes, codes, and  
 common law.

110. In committing the acts alleged above, the individually named Defendants and DOES 26-  
 50 acted maliciously, oppressively, and/or with reckless disregard for the rights and safety of Plaintiff,  
 Decedent NYCHOLAS PARRAZ, and others, and by reason thereof, Plaintiff is entitled to punitive  
 damages and penalties allowable under 42 U.S.C. § 1983, California Code of Civil Procedure §§  
 377.20 *et seq.*, and other state and federal law against the individual Defendants. Plaintiff does not seek  
 punitive damages against the COUNTY OF TULARE.

111. Plaintiff is also entitled to reasonable costs and attorney’s fees under 42 U.S.C. § 1988  
 and other applicable California codes and laws.

**FIFTH CAUSE OF ACTION**

**First and Fourteenth Amendment – Intimate / Familial Association (42 U.S.C. §1983)**

**FOR A FIFTH CAUSE OF ACTION AGAINST DEFENDANTS TERESA GONZALEZ,  
 ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW,  
 LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM,  
 DESMOND GOREE, ROBBY HEBRARD, AND DOES 26-50 FOR ABRIDGEMENT OF CIVIL  
 RIGHTS, PURSUANT TO 42 U.S.C. SECTION 1983, PLAINTIFF ALLEGES:**

112. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
 paragraphs as though set forth in full in this cause of action.

113. Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA,  
 JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH  
 RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50  
 employed by COUNTY OF TULARE acted under color of law.

1           114. Plaintiff SHAYNE MAUPIN's right to associate with his son, NYCHOLAS PARRAZ,  
2 is a fundamental right protected by the First and the Fourteenth Amendments. Family relationships  
3 involve deep attachments and commitments to the necessarily few other individuals with whom one  
4 shares not only a special community of thoughts, experiences, and beliefs but also distinctively  
5 personal aspects of life.

6           115. Plaintiff SHAYNE MAUPIN also had a cognizable interest under the Free Association  
7 Clause of the First Amendment of the United States Constitution to continued association with his fiancé  
8 ALISSA PARRAZ. The First Amendment protects those relationships that presuppose deep attachments  
9 and commitments to the necessarily few other individuals with whom one shares not only a special  
10 community of thoughts, experiences, and beliefs but also distinctly personal aspects of one's life.

11           116. Defendants were deliberately indifferent to Plaintiff SHAYNE MAUPIN's right of  
12 association, as set forth above, in ¶¶ 103, 105.

13           117. These Defendants' misconduct deprived Plaintiff SHAYNE MAUPIN of his rights to  
14 intimate and familial association under the First and Fourteenth Amendments to the United States  
15 Constitution.

16           118. With respect to Decedent NYCHOLAS PARRAZ, as a proximate result of the foregoing  
17 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶¶  
18 108-09. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to  
19 be proven at trial.

20           119. With respect to Decedent ALISSA PARRAZ, as a proximate result of the foregoing  
21 wrongful acts, Plaintiff SHAYNE MAUPIN sustained the following injuries and damages, past and  
22 future, including, but not limited to:

- 23           A. Wrongful death of ALISSA PARRAZ;
- 24           B. Loss of economic support, including lost wages and earning capacity, by ALISSA PARRAZ;
- 25           C. Loss of support and familial relationships, including loss of love, companionship, comfort,  
26           affection, society, services, solace, and moral support;
- 27           D. Emotional distress from the violations of his personal Constitutional rights, including grief,  
28           sorrow, anxiety, worry, anger, humiliation, and indignity;

- 1 E. Loss of enjoyment of life;
- 2 F. All other legally cognizable special and general damages;
- 3 G. Violations of state and federal constitutional rights; and
- 4 H. All damages, punitive damages, and penalties recoverable under 42 U.S.C. §§ 1983 and
- 5 1988, 29 U.S.C. § 793, California Civil Code §§ 52 and 52.1, Cal. Code of Civil Procedure
- 6 1021.5, and as otherwise allowed under California and United States statutes, codes, and
- 7 common law.

8 120. In committing the acts alleged above, the individually named Defendants and DOES 26-  
 9 50 acted maliciously, oppressively, and/or with reckless disregard for the rights and safety of Plaintiff,  
 10 Decedents NYCHOLAS PARRAZ and ALISSA PARRAZ, and others, and by reason thereof, Plaintiff  
 11 is entitled to punitive damages and penalties allowable under 42 U.S.C. § 1983, California Code of  
 12 Civil Procedure §§ 377.20 *et seq.*, and other state and federal law against the individual Defendants.  
 13 Plaintiff does not seek punitive damages against the COUNTY OF TULARE.

14 121. Plaintiff is also entitled to reasonable costs and attorney’s fees under 42 U.S.C. § 1988  
 15 and other applicable California codes and laws.

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 17 **SIXTH CAUSE OF ACTION**

18 **First and Fourteenth Amendment – Policy Of Failure To Train (42 U.S.C. §1983)**

19 **FOR A SIXTH CAUSE OF ACTION AGAINST DEFENDANTS COUNTY OF TULARE**  
 20 **AND DOES 1-25 FOR ABRIDGEMENT OF CIVIL RIGHTS, PURSUANT TO 42 U.S.C.**  
 21 **SECTION 1983, PLAINTIFF ALLEGES:**

22 122. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
 23 paragraphs as though set forth in full in this cause of action.

24 123. The acts and omissions of Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
 25 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
 26 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
 27 HEBRARD, and DOES 26-50, acting under state law, deprived Decedents and Plaintiff SHAYNE  
 28 MAUPIN of their rights under the First and Fourteenth Amendments.

1           124. As set forth above, in ¶¶ 51-56, the training policies of Defendant COUNTY OF  
2 TULARE, by and through its departments CWS and the TULARE COUNTY SHERIFF'S OFFICE,  
3 and DOES 1-25 were not adequate to prevent violations of the law by its employees or train its  
4 employees to handle the usual and recurring situations with which they must deal—including ensuring  
5 that a placement household is safe for the child and assessing all adults residing in the home or who  
6 have significant contact with others in the home to determine whether they pose a threat to the safety or  
7 well-being of the child.

8           125. Defendant COUNTY OF TULARE and DOES 1-25 were deliberately indifferent to the  
9 substantial risk that each entity's training policies were inadequate to prevent violations of law by its  
10 employees, and, known or obvious consequences of each entity's failure to train its employees  
11 adequately.

12           126. The failure of Defendant COUNTY OF TULARE and DOES 1-25 to prevent violations  
13 of law by its employees or to provide adequate training caused the deprivation of Plaintiff SHAYNE  
14 MAUPIN's rights.

15           127. The failures of Defendant COUNTY OF TULARE and DOES 1-25 to prevent violations  
16 of law by its employees and to train them adequately is so closely related to the deprivation of Plaintiff  
17 SHAYNE MAUPIN's rights as to be the moving force that caused the ultimate injury.

18           128. With respect to Decedent NYCHOLAS PARRAZ, as a proximate result of the foregoing  
19 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶¶  
20 108-09. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to  
21 be proven at trial.

22           129. With respect to Decedent ALISSA PARRAZ, as a proximate result of the foregoing  
23 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶  
24 119. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to be  
25 proven at trial.

26           130. Plaintiff does not seek punitive damages against the COUNTY OF TULARE.

27           131. Plaintiff is also entitled to reasonable costs and attorney's fees under 42 U.S.C. § 1988  
28 and other applicable California codes and laws.

1 **SEVENTH CAUSE OF ACTION**

2 **First and Fourteenth Amendment – Customs, Practices, *De Facto* Policy (42 U.S.C. §1983)**

3 **FOR A SEVENTH CAUSE OF ACTION AGAINST DEFENDANTS COUNTY OF**  
4 **TULARE AND DOES 1-25 FOR ABRIDGEMENT OF CIVIL RIGHTS, PURSUANT TO 42**  
5 **U.S.C. SECTION 1983, PLAINTIFF ALLEGES:**

6 132. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
7 paragraphs as though set forth in full in this cause of action.

8 133. The acts and omissions of Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
9 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
10 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
11 HEBRARD, and DOES 26-50, acting under state law, deprived the Decedents and Plaintiff SHAYNE  
12 MAUPIN of their rights under the First and Fourteenth Amendments.

13 134. As set forth above, in ¶¶ 51-56, the customs, practices and *de facto* policies of  
14 Defendants COUNTY OF TULARE, by and through its departments CWS and the TULARE  
15 COUNTY SHERIFF’S OFFICE, and DOES 1-25 caused the deprivation of Decedents and Plaintiff  
16 SHAYNE MAUPIN’s rights by Defendants TERESA GONZALEZ, ESTEFANIA PADILLA,  
17 MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON,  
18 MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY  
19 HEBRARD, and DOES 26-50. Defendant COUNTY OF TULARE and DOES 1-25’s practices or  
20 customs are so closely related to the deprivation of the Decedents and Plaintiff SHAYNE MAUPIN’s  
21 rights as to be the moving force that caused the ultimate injury.

22 135. Plaintiff SHAYNE MAUPIN alleges on information and belief Defendants COUNTY  
23 OF TULARE and DOES 1-25’s customs, practices or *de facto* policies are in the alternative policies of  
24 inaction when enforcement was called for and these policies amount to deliberate indifference.

25 136. Defendants were deliberately indifferent to plaintiff’s due-process and association rights  
26 as described herein.

27 137. With respect to CWS, an objective substantial risk of harm is exemplified by placing a  
28 10-month-old infant in a household where two active gang members reside, with no assessment as to



1 whether the household was safe for the infant, and without determining whether adults residing in the  
2 home or who have significant contact with others in the home pose a threat to the safety or well-being  
3 of NYCHOLAS PARRAZ as required.

4 138. With respect to TULARE COUNTY SHERIFF'S OFFICE, an objective substantial risk  
5 of harm is exemplified by observing a minor mother, with a baby crib and other belongings of  
6 NYCHOLAS PARRAZ in her bedroom, in a home with two active gang members residing therein—as  
7 well as the presence of methamphetamine, methamphetamine pipes, body armor, AR Style rifles with  
8 no serial number, a handgun, a shotgun, ammunition, bullet holes in the walls, and shell casings—and  
9 doing nothing. Defendants were subjectively aware of these facts from which an inference could be  
10 drawn that a substantial risk of serious harm existed. Either they drew that inference or would have  
11 been compelled to draw that inference.

12 139. With respect to Decedent NYCHOLAS PARRAZ, as a proximate result of the foregoing  
13 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶¶  
14 108-09. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to  
15 be proven at trial.

16 140. With respect to Decedent ALISSA PARRAZ, as a proximate result of the foregoing  
17 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶  
18 119. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to be  
19 proven at trial.

20 141. Plaintiff does not seek punitive damages against the COUNTY OF TULARE.

21 142. Plaintiff is also entitled to reasonable costs and attorney's fees under 42 U.S.C. § 1988  
22 and other applicable California codes and laws.  
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**EIGHTH CAUSE OF ACTION**

**First and Fourteenth Amendment – Ratification (42 U.S.C. §1983)**

**FOR A EIGHTH CAUSE OF ACTION AGAINST DEFENDANTS COUNTY OF TULARE AND DOES 1-25 FOR ABRIDGEMENT OF CIVIL RIGHTS, PURSUANT TO 42 U.S.C. SECTION 1983, PLAINTIFF ALLEGES:**

143. Plaintiff refers to each and every one of the above paragraphs, and incorporates those paragraphs as though set forth in full in this cause of action.

144. The acts and omissions of Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50, acting under state law, deprived the Decedents and Plaintiff SHAYNE MAUPIN of their rights under the First and Fourteenth Amendments.

145. Plaintiff alleges on information and belief that a final policymaker for Defendants COUNTY OF TULARE and DOES 1-25 acted under color of state law, and had final policymaking authority from Defendants COUNTY OF TULARE and DOES 1-25 concerning the acts and omissions by of Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50.

146. Plaintiff further alleges on information and belief that a final policymaker ratified said acts and omissions, that is, he or she knew of and specifically made a deliberate choice to approve Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50's acts and omissions and the basis for them.

147. With respect to Decedent NYCHOLAS PARRAZ, as a proximate result of the foregoing wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶¶ 108-09. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to be proven at trial.

1 148. With respect to Decedent ALISSA PARRAZ, as a proximate result of the foregoing  
2 wrongful acts, Plaintiff SHAYNE MAUPIN sustained injuries and damages, as set forth above, in ¶  
3 119. Plaintiff SHAYNE MAUPIN is, therefore, entitled to compensatory damages in an amount to be  
4 proven at trial.

5 149. Plaintiff does not seek punitive damages against the COUNTY OF TULARE.

6 150. Plaintiff is also entitled to reasonable costs and attorney's fees under 42 U.S.C. § 1988  
7 and other applicable California codes and laws.

8  
9 **NINTH CAUSE OF ACTION**

10 **Bane Act Violation (Cal. Civ. Code § 52.1)**

11 **FOR A NINTH CAUSE OF ACTION AGAINST DEFENDANTS COUNTY OF**  
12 **TULARE, TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E.**  
13 **ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH**  
14 **RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, AND DOES 1-50**  
15 **FOR VIOLATION OF THE BANE ACT, PURSUANT TO CALIFORNIA CIVIL CODE**  
16 **SECTION 52.1, PLAINTIFF ALLEGES:**

17 151. Plaintiff refers to each and every one of the above paragraphs, and incorporates those  
18 paragraphs as though set forth in full in this cause of action.

19 152. By their acts, omissions, customs, and policies, Defendants COUNTY OF TULARE,  
20 TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE,  
21 MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN  
22 CORUM, DESMOND GOREE, ROBBY HEBRARD, AND DOES 1-50, as described above, and with  
23 threat, intimidation, coercion, and/or with reckless disregard for rights, violated Decedents and Plaintiff  
24 SHAYNE MAUPIN's rights under California Civil Code § 52.1 and the following clearly established  
25 rights under the United States Constitution and California Constitution and law:

- 26 A. Decedents' right to be free from exposure to a known or obvious danger created by state  
27 actors, acting with deliberate indifference to that danger, as secured by the Due Process  
28 Clause of the Fourteenth Amendment;

- 1 B. Decedents’ and Plaintiff’s right to be free from wrongful government interference with
- 2 familial relationships and their right to companionship, society, and support of each other, as
- 3 secured by the First and Fourteenth Amendments to the United States Constitution;
- 4 C. The right to enjoy and defend life and liberty; acquire, possess, and protect property; and
- 5 pursue and obtain safety, happiness, and privacy, as secured by the California Constitution,
- 6 Article 1, Section 1.

7 153. Defendants’ violations of Decedents and Plaintiff SHAYNE MAUPIN’s fundamental  
 8 due process and association rights with deliberate indifference in and of themselves constitute  
 9 violations of the Bane Act.

10 154. With respect to CWS, an objective substantial risk of harm is exemplified by placing a  
 11 10-month-old infant in a household where two active gang members reside, with no assessment as to  
 12 whether the household was safe for the infant, and without determining whether adults residing in the  
 13 home or who have significant contact with others in the home pose a threat to the safety or well-being  
 14 of NYCHOLAS PARRAZ as required.

15 155. With respect to TULARE COUNTY SHERIFF’S OFFICE, an objective substantial risk  
 16 of harm is exemplified by observing a minor mother, with a baby crib and other belongings of  
 17 NYCHOLAS PARRAZ in her bedroom, in a home with two active gang members residing therein—as  
 18 well as the presence of methamphetamine, methamphetamine pipes, body armor, AR Style rifles with  
 19 no serial number, a handgun, a shotgun, ammunition, bullet holes in the walls, and shell casings—and  
 20 doing nothing.

21 156. Defendants were subjectively aware of these facts from which an inference could be  
 22 drawn that a substantial risk of serious harm existed. Either they drew that inference or would have  
 23 been compelled to draw that inference.

24 157. Alternatively, separate from, and above and beyond Defendants’ attempted interference,  
 25 interference with, and violation of Plaintiff’s and Decedents’ rights, Defendants violated Plaintiff’s and  
 26 Decedents’ rights by the following conduct, among other conduct, constituting threat, intimidation, or  
 27 coercion:

- 28 A. Intentionally and with deliberate indifference placing NYCHOLAS PARRAZ in a placement  
 household where two known, active gang members resided, creating unnecessarily

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heightened danger of injury, harm, and/or death due to gang violence;

- B. Intentionally and with deliberate indifference placing NYCHOLAS PARRAZ in a placement household without assessing the home to ensure it did not pose a threat to the safety or well-being of NYCHOLAS PARRAZ;
- C. Intentionally and with deliberate indifference placing NYCHOLAS PARRAZ in a placement household without assessing all adults residing in the home, or who have significant contact with others in the home, to determine whether they pose a threat to the safety or well-being of NYCHOLAS PARRAZ;
- D. Intentionally and with deliberate indifference failing to bring to the attention to the county welfare department that the home in which NYCHOLAS PARRAZ and ALISSA PARRAZ reside is unsuitable for the children;
- E. Intentionally and with deliberate indifference failing to investigate a NYCHOLAS PARRAZ and ALISSA PARRAZ’s circumstances to determine whether there is reasonable suspicion of child abuse/neglect;
- F. Intentionally and with deliberate indifference failing to report to the county welfare department, the district attorney, and the Department of Justice reasonable suspicions of abuse/neglect of NYCHOLAS PARRAZ and ALISSA PARRAZ; and
- G. Intentionally and with deliberate indifference failing to make reports of child abuse/neglect of NYCHOLAS PARRAZ and ALISSA PARRAZ either immediately or within 36 hours of receiving the information.

158. Pursuant to Cal. Gov. Code §§ 815.2(a) and 820(a), Defendants COUNTY OF TULARE and DOES 1 -25 are indirectly and vicariously liable, through the principles of *respondeat superior*, for injuries proximately caused by acts or omissions of their employees acting within the scope of their employment, including Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26-50.

159. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW

1 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
 2 DOES 1 through 50, Plaintiff SHAYNE MAUPIN has suffered the loss of NYCHOLAS PARRAZ’s  
 3 love, companionship, comfort, care, assistance, protection, affection, society, and moral support.

4 160. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
 5 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
 6 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
 7 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
 8 DOES 1 through 50, Plaintiff SHAYNE MAUPIN has suffered the following economic damages as a  
 9 result of the death of his son according to proof:

- 10 A. The value of the financial support that NYCHOLAS PARRAZ would have contributed to
- 11 the Plaintiff SHAYNE MAUPIN during his lifetime;
- 12 B. Funeral and burial expenses;
- 13 C. The loss of gifts or benefits that Plaintiff SHAYNE MAUPIN could have expected to
- 14 receive from NYCHOLAS PARRAZ; and
- 15 D. Household services that NYCHOLAS PARRAZ would have provided.

16 161. As a direct result of the acts and omissions of Defendant COUNTY OF TULARE, by  
 17 and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE  
 18 PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW  
 19 RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and  
 20 DOES 1 through 50, NYCHOLAS PARRAZ incurred general damages prior to his death, and was  
 21 severely harmed, endured pain, suffering, disability, impairment, disfigurement, inconvenience, loss of  
 22 enjoyment of life, scarring, and other non-economic damages.

23 162. Plaintiff SHAYNE MAUPIN is the personal representative or a successor in interest and  
 24 authorized to bring a survival action on behalf of the NYCHOLAS PARRAZ’s Estate pursuant to Code  
 25 of Civil Procedure § 377.31, *et seq.*

26 163. Plaintiff SHAYNE MAUPIN, as the personal representative or a successor in interest to  
 27 NYCHOLAS PARRAZ, is entitled to recover NYCHOLAS PARRAZ’s pre-death economic and non-  
 28 economic damages against Defendant COUNTY OF TULARE.

**PRAYER FOR DAMAGES**

WHEREFORE, Plaintiff SHAYNE MAUPIN prays for judgment against Defendants as follows:

1. For an award of compensatory, general, and special damages, including both survival damages and wrongful death damages, against Defendants Defendant COUNTY OF TULARE, by and through its agents and employees TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 1 through 50 all in an amount to be proven at the time of trial;

2. For an award of exemplary/punitive damages against Defendants TERESA GONZALEZ, ESTEFANIA PADILLA, MAGGIE PRUNEDA, JALYN E. ANDRADE, MATTHEW ASKEW, LUKE HAMILTON, MATTHEW RASCON, JOSEPH RODRIGUEZ, RYAN CORUM, DESMOND GOREE, ROBBY HEBRARD, and DOES 26 through 50, in an amount sufficient to deter and to make an example of them, because their actions and/or inactions, as alleged, were motivated by evil motive or intent, involved reckless or callous indifference to constitutionally-protected rights, or were wantonly or oppressively done, and/or constituted oppression and/or malice resulting in great harm;

3. For an award of statutory penalties, pursuant to Cal. Civ. Code § 52.1 and any other statute as may be applicable;

4. For an award of reasonable attorneys' fees and costs, including attorney's fees pursuant to 42 U.S.C. § 1988, Cal. Civ. Code § 52.1, Cal. Code Civ. Proc. § 1021.5, and any other statute as may be applicable;

5. For prejudgment interest and pre-trial interest, according to proof;

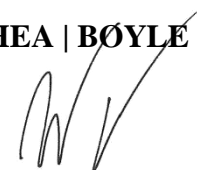
6. For damages for Plaintiff's other losses, according to proof; and

7. For such other and further relief as the Court may deem just and proper.

Dated: August 4, 2023

**PANISH | SHEA | BOYLE | RAVIPUDI LLP**

By: \_\_\_\_\_

  
Wyatt A. Vespermann  
Attorney for Plaintiff

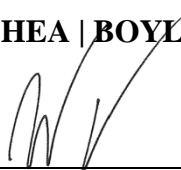
**DEMAND FOR JURY TRIAL**

Plaintiff requests a jury trial on all causes of action as to all Defendants.

Dated: August 4, 2023

**PANISH | SHEA | BOYLE | RAVIPUDI LLP**

By: \_\_\_\_\_

  
Wyatt A. Vespermann  
Attorney for Plaintiff