



Before United States District Court
 Eastern District of California
 501 I St # 4200,
 Sacramento, CA 95814
 (916) 930-4000

Civil #2:2019cv00238

Chris Walters)
 c/o Union Gospel Mission)
 345 NE Commerical Street)
 Salem, Oregon 97301)
appellantcounsel@afterdarkportal.net)
 Plaintiff)

Presiding Judge: Kendall J Newman

Vs.)

Nancy Berryhill)
 Acting Commissioner)
 Social Security Administration)
 6401 Security Blvd)
 LMB) Baltimore, MD 21235)
 Defendant)

Walters V Trump
 USDC 9th Circuit Civil Appeal #[17-35651](#)
 USDC Montana Civil # [9:2017cv00083](#)
[Walters v Miller](#) USDC WDT SA-97-CA-1313
[Walters V Apfel](#) USDC, WDT A99-CA-0156SS
[Walters v Miller](#) 5th Circuit 99-50174
[Walters V Asture](#) USDC NM 1:07-00257-JCH
[Walters v SSA](#) USDC, NM 2:08-CV-00380-RHS
[Walters v Asture](#) USDC ID-1:11-CV00359-)
[Walters V Asture](#) USDC Circuit # 09-5206
[Walters v Asture](#) USDC, ID 1:11-cv-000359-LMB
[Walters v Colvin](#): USDC, NDT 2:13-CV-025 V
[Walters V Colin](#) 10th Circuit 13-2087MLR
[Walters V Congress](#) 9th Circuit No. 13-35019
[Walters v Berryhill](#) USDC, CV:17-033-M-DLC

VS)

President of UN Security Council)
 Honorable Ambassador François Delattre)
 Permanent Mission of France To the UN)
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**PLAINTIFFS MOTION FOR SANCTION FOR 3RD PARTY SAN JOAQUIN
 SKILLED NURSING HOME DEFERRED TO FEDERAL PROSECUTOR**

NOW COMES THE Plaintiff Pro Se Chris Walters before the Honorable United States
 District Court Eastern District of California question the issuance of civil and criminal

sanctions on a 3rd party the San Joaquin Skilled Nursing Home at 3601 San Dimas Street in Bakersfield, CA under Color of [Title 18 USC Misprison the felony](#) and other provisions as cites:

**I INTRODUCTION IN QUESTION OF VIOLATIONS
OF TITLE 18 CRIMES BY SAN JOAQUIN SKILLED NURSING HOME**

1. The premises of Chris Walters Complaint at BAR is that both the Social Security Administration and Chris Walters are frequently victimized by alleged criminal acts under taken by 3rd parties which results in the loss of mutual rights.
2. In the course of Chris Walters 2 and 1/12 month stay there appear to be quite a few examples of violations of Title 18 CRIMES occurring on the property of the [San Joaquin Skilled Nursing Home](#) which cost the State and Federal Government \$84,000 a year to maintain Chris Walters in long term health care.



HHS Inspector General

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**I DID SAN JOAQUIN SKILLED NURSING HOME OVERCHARGE MEDICARE
TITLE 18 USC 372 CONSPIRACY TO DEFRAUD THE UNITED STATES**

1. [Docket #21 Defendants Motion To Dismiss](#): Docketment 21-21 filed 6/7/2019
is a statement by Sarah Arnold District Manager of the Social Security Administrations

Office in Bakersfield, CA which states: "**Because Mr. Walters was no longer eligible for SSI while residing in San Joaquin his SSI Benefits were suspended. In addition, he received \$532.72 in monthly payments for January and February 2019 to which is was not eligible. As a result there is an outstanding overpayment on the SSI record dthis amount".**

2. [Exhibits A and B](#) are Direct Express expenditure reports on Chris Walters debit card which show he stayed briefly in Bakersfield, CA and then moved back to Lodi, California.
3. Did San Joaquin Skilled Nursing Home defraud the Medicare/Social Security by charging the government for Chris Walters stay after he left the facility on or about January 10th, 2019 and caught the Amtrak back to Lodi, California?



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II STAFF OF NUSING HOME OPENED AND PILEFERED DEFENDANTS MOTION TO DISMISS DOCKET #21

1. [Defendants Motion To Dismiss Docket #21](#) was opened by a member of the nursing home and in fact more recently Desmonique Glinton the Social Services Director offered to mail a brief in person to prevent it from being pilfered by the nursing home management.
2. [Title 18 USC 1701 Obstruction of Mail Generally](#) concerns tampering with the

US Mail and [Title 18 USC 4 Contempt of Court](#) concerns obstruction of Court

Process both of which are prosecutable federal offenses.

Protect Your Money and Possessions

Manage your own financial affairs, or you may have the nursing home manage your personal money in accordance with specific requirements, which include periodic accounting reports.

22CCR §72527(a)(8); 42CFR 483.10(c)

Reasonable security of clothing and personal property. The nursing home must have a program to reduce theft and loss and maintain an inventory of your clothing and other personal property.

Standard Admission Agreement; 22CCR §72527(a)(15); 42CFR 483.10(i)

California State Regulations To Protect Clients Property
22CCR &72527(a)(15) 42CFR 483.10(i)

III STAFF OF NURSING HOME PRACTICING FEDERAL CRIMINAL LAW TITLE 18 USC 913 IMPERSONATOR MAKING ARREST/UNLAWFUL SEARCH AND SEIZURE?

1. On or about Thursday June 13th, 2019 Chris Walters complained to the management of the San Joaquin Skilled Nursing Home about a guest "Pedro" entering the room 218 about 3 Am and standing over sleeping guest...
2. About 10 AM the same day the management of the Nursing Home appeared in the private residence of Chris Walters room 218D (Medicare Pays \$84,000 a year) without a search warrant; police officer and conducts an unlawful search; burglarized Chris Walters property; seized several items; attempted to explain he was in violation a federal law aka Federal Privacy Act and could be prosecuted..
3. The Nursing Home staff has provided Chris Walters their email addresses and asked for regular emails on ongoing bizarre and unusual events on the property.
4. At the end of the confrontation the Director Mr. Hunter explained he was giving Chris Walters 30 days notice to move out and explained the conversation could not continue without an Ombudsman present.
5. It is interesting to note the Bakersfield Police Department does not respond

to calls from residents on either non emergency matters to make a report or
911 calls begging the question as to whether the Bakersfield Police
Department should be placed into temporary custody of the US Marshal Service?

Medical Care and Treatment

Participate in designing your plan of care/
treatment.
22CCR §72527(a)(3); 42CFR 483.10(d)(3)

Choose your personal doctor.
22CCR §72527(a)(3); 42CFR 483.10(b)(9); 42CFR
483.10(d)(3)

Refuse any plan of care, treatment, or
procedure.
22CCR §72527(a)(4); 42CFR 483.10(b)(4); 42CFR
483.10(b)(8)

Make advance directives for treatment such
as a power of attorney for health care or
other instructions about important health care
decisions such as unwanted, life-sustaining
treatment.
Standard Admission Agreement; 42CFR 483.10(b)(4); 42CFR
483.10(b)(8)

California State Regulations

22CCR 772527(a)(3) 42 CFR483.10(d)(3)

22CCR 772527(a)(4) 42 CFR483.10(b)(8)

IV DENIAL OF MEDICAL TREATMENT FOR LIVE THREATENING ISSUES TITLE 18 USC 242 DEPRIVATION OF RIGHTS UNDER COLOR OFLAW Chris Walters Medical Records: <http://cwaltersgonefishing.net/ssi/access/index.html>

1. Chris Walters has provided Bakersfield Memorial Hospital; Dr. Memon
and Dr Bichai; and Nursing Home staff with his medical records on
DVD Known to the Court as Exhibit C; reviewing an extensive history
or treatment by about 500 doctors and presentation of **Advanced
Medical Directive** in color in print as cited online:
<http://cwaltersgonefishing.net/ssi/access/index.html>
2. **Exhibit C. Advanced Medical Directive** and supplement Notice provided to
medical records last week plainly state no course of medical treatment
will be undertaken without the prior authorization in persons made
by the provider in person in keeping with **US Supreme Court ruling**

Shaivo V Shiavo as Patients Rights and acknowledged by California State Ombudsman Office.

3. **Chronic Medical Issue** are subject to minor treatment to prevent immediate life threatening progression which can be accomplished by a Physicians Assistance:
 1. **Avoid staying on feet to long each day**: to avoid swelling in lower legs; cellulites; and eventual formation of chronic clots and Pulmonary Embolism.
 2. Dr. Memon has come up with excellent idea that Chris Walters could pay for local gym with water therapy several times a day for exercise and Chris Walters is no longer allowed in gym to use exercise equipment???
 3. **Stool Softner** works for colon issues including diverticulosos.
 4. **Chronic Infections are treated Riocephin** which also for reasons which are not clear helps kill blood clots and takes pain out of all joints for up to 12 joints: infections frequently prevented by simple shower and hygiene.
 5. **The Oxygenator provided could not replace need for CPAP** machine which was diagnosed with severe 399 events per night; and not CPAP machine has appeared.
 6. **Numerous request for Upper and Lower GI**; and simple removal of Gall bladder; and evaluation of possible tumor in Liver has been treatment for 3 Cardiac Blocks; hip and knee surgery; and severe damage to lower back ignored for 2 months.

3. **Life Treating Medical Mistakes:** Both Dr. Memon and Dr Bichai are in the habit of dropping by about 1 time a month and glancing at the patient and departing and trying to prescribe meds through 3rd party:

- a. As Chris Walters had 3 diagnosed heart blocks and application of 80 MG Lassix has landed the patient in the hospital twice; the last episode in Bakersfield Memorial where the Hospitalist explained his Magnesium was very low and had to repair the damage with 3 days of Magnesium IV.
- b. Nursing Staff is currently trying to administer 80 MG of Lassix and another 50 MG of Spirolactium supposedly to help Chris Walters lose excess waters with 100 percent change of death.
- c. Nursing staff explains Dr. Biahci is currently out of town for a week and of course has never met with Chris Walters to discuss options and is of course hereby Sacked as Physian of Record.

Be free from verbal, physical, sexual, and mental abuse; corporal punishment; neglect; and involuntary seclusion.
22CCR §72527(a)(9); 42CFR 483.13(b)

Transfer and Discharge Rights

Be notified in writing before your transfer or discharge from the nursing home.
22CCR §72527(a)(6); 42CFR 483.10(b)(11); 42CFR 483.12(a)(4),(5),(6)

Appeal any transfer or discharge decision to the Licensing and Certification Office.
HSC 1599.1(h)(2),(3),(4); 42CFR 483.10(o); 42CFR 483.12(a)(6)(v)

Return to the nursing home after a short-term transfer to a hospital or after a therapeutic leave from the facility. (The nursing home must explain to you their policy about bed holds and your rights to return to the facility.)
HSC 1599.1(h)(1); 42CFR 483.12(b)

California State Regulations
22CCR 772527(a)(9) 42 CFR483.13(b)

**V COMPLAINTS FROM RESIDENT JEFF LOVELACE AND
IVAN CRAWFORD OF LONG TERM ELDER ABUSE**

1. Chris Walters is supposed to be a patient/resident in Room 218 D receiving the benefits of \$84,000 a year in medical treatment however is bombarded all day long by his room mates Jeff Lovelace and Ivan Crawford who spin endless tales of chronic abuse which are fantastic, incredible, and hard to believe ; however which the management has provided Chris Walters with their emails addresses and provide updates on daily basis.
2. Ivan Crawfords' Dying Declaration explained the abuse he was subject to since 2003; theft of his monies and properties without explanation; including a statement that a Skilled Nursing Home in Tehachapi, CA **has disappeared about 80 clients (presumed dead) and he escape occured when the Manager pushed him down breaking his leg; left him on floor overnight and someone finally called 911 and he was hospitalzied in Bakersfield.**
3. Jeff Lovelace is a paraplegic who is entirely dependent on nursing and other services and is often ignored particularly by CNA Vicki on 2nd shift whose general demeanor toward here charges causes one to ask why does she want to work in a people industry?

**AS A NURSING HOME RESIDENT,
YOU HAVE A RIGHT TO:**

Visits * Privacy * Confidentiality

Visits with family and friends.
22CCR §72527(a)(20); 42CFR 483.10(e)(1)

Contact and meet with certain agency representatives or individuals who provide health, legal, social, or other services.
22CCR §72527(a)(18),(19); 42CFR 483.10(j)(1), (2)

Privacy during your visits or meetings, in making telephone calls, and with your mail.
22CCR §72527(a)(21); 42CFR 483.10(e)(1)

Privacy in your room and during bathing, medical treatment, and personal care.
22CCR §72527(a)(11); 42CFR 483.10(e)(1)

Keep your personal and health records confidential.
22CCR §72527(a)(10); 42CFR 483.10(e)(1)

**California State Regulations
22CCR 772527(a)(20) 42 CFR483.10(e)(1)**

**VI RUSSIAN PATIENT HARVESTING INFORMATION ON
CLIENTS AND FORWARDING IT TO SASHA IN RUSSIA**

- 1. Russian National Bed 218 B Legitimate Military Target: Arkady Skirg...is apparently a Russian/Israel who appears to be an active Intelligence Officer who claims he cannot hear; roams the building day night harvesting any private details of clients; snatching any paperwork; and forwarding it to "Sasha" in Russia through secure communications channels on his private computer.**
- 2. Mr. Arkadyfrequently threatens or bullies other residents; actually went behind the nursing station a day or so and kick and beat the nurse on duty; menaced Mr. Lovelace; and demands I turn off the light in my area because it keeps him from sleeping and no police response was noted.**
- 3. Mr Akady... Supposedly with mental issues he is smart enough to assert his dominance in the building by shutting off the cable tv by tampering with circuit breaker. He was recently surprised to find out the building is not full of resident Billionaires and was taken aback when he learned the average resident only received #35.00 a month and would not be able to participate**

in his stock program.

Be free from verbal, physical, sexual, and mental abuse; corporal punishment; neglect; and involuntary seclusion.
22CCR §72527(a)(9); 42CFR 483.13(b)

Transfer and Discharge Rights

Be notified in writing before your transfer or discharge from the nursing home.
22CCR §72527(a)(6); 42CFR 483.10(b)(11); 42CFR 483.12(a)(4),(5),(6)

Appeal any transfer or discharge decision to the Licensing and Certification Office.
HSC 1599.1(h)(2),(3),(4); 42CFR 483.10(e); 42CFR 483.12(a)(6)(iv)

Return to the nursing home after a short-term transfer to a hospital or after a therapeutic leave from the facility. (The nursing home must explain to you their policy about bed holds and your rights to return to the facility.)
HSC 1599.1(h)(1); 42CFR 483.12(b)

California State Regulations
22CCR 772527(a)(6) 42 CFR483.1D(e)(11)
42 CFR483.12(a)(4)(5)(6)

VII SEVERAL ATTEMPTS AT KIDKNAPPING OF CHRIS WALTERS FROM NURSING HOME

1. **Chris Walters has been in room 218 D for 3 weeks and is just getting settled in to residence and there appear to have been 2 different attempt to kidnap Chris Walters or make him disappear which came as quite a surprise to the management to learn Chris Walters was leaving.**
2. **Chris Walters noted the Bakersfield Police Department does not come to the San Joaquin Skilled Nursing Home at the request of patients when 911 was called or when a request are made by patients to make a police report.**



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Inspector General Intelligence Community

VIII QUESTION AS TO WHEATHER CNA VICKI & COMPANY

ARE NORTH KOREAN INTELLIGENCE OPERATIVES?

1. During course of converse with Mr. Ivan Crawford he mentioned that while watching tv he commented something to the effect that the leader of North Korea was a "Little Yellow Bastard who needed to be shot" Mr Crawford states the CNA Vicki replies **"how dare you say that about our fearless leader"**.
2. While it is not known if CNA Vicki is actually an intelligence operative stalking Vandenberg AFB, Edwards AFB, or Naval field at Hanford she is definitely not qualified to work around people. **Very abusive, short tempered; and in fact snatched Mr. Crawfords Coke this evening and walked out of the room with it.**



National Policy Question Deferred To Congress

IX SHOULD FOREIGN BASED CORPORATIONS BE PERMITTED TO OPERATE MEDICAL FACILITIES HERE IN THE UNITED STATES?

Let's say the San Joaquin Skilled Nursing Home was owned by a foreign interest from say India and the doctors were sort of doctors in name only and not required to the standards of American Doctors and adhered to way different standards in Indian it is easy to see where a problem could occur. India in particular is a caste base society where human life and in particular lower caste individuals are expendable under all circumstances. While the Indian holding company turns a handy profit of \$84,000 per year for 100 beds which are always full from the Bakersfield Hospital receiving services based only on a profit incentive it easy to see where unacceptable services could occur.



North Carolina Disability Rights

X ARGUMENT BASED ON *Thomas S. v. Flaherty*, 902 F.2d 250 (1990)

San Joaquin Skilled Nursing Home is paid \$84,000 a year to provide a place of resident for long term patients as well as rehabilitation for short term patients in a clean, safe, and secure environment and is monitored by Ombudsman Sharon Fugate (661-323-788) and Patricia Johnson RN (661-336-0543) State of California Department of Health.

In *Thomas S. v. Flaherty*, 902 F.2d 250 (1990) The United State District Court, Middle District of North Carolina crafted a remedy for clients who had been resident in a dungeon type setting and remove them to "Group Homes" Chris Walters was paid for a week or so to read the Courts guidelines for treatment by person administering these homes that repeatedly stiuplated that the paid staff are only visitors to the home and residence of these persons with all the rights of residence and more commonly known by any private home.



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XI DISCUSSION ON PROSECUTORIAL DISCRETION AS DEFENSE TO QUESTION CONSTITUTIONALITIY OF ACTS OF CONGRESS?

In the case at BAR where questions of the constitutionality of the Social Security Act; and Medicare are in question and the USA and Federal Prosecutor have a remedy to prosecute violations of Title 18 CRIMES which is believed to be a matter of discretion. The San Joaquin reportedly makes over \$8.4 Million a year they a candidate for review by a federal grand jury or other incentives to take out a few bad apples and put the skilled nursing home back on the straight and narrow in the process making sure the current management does not simply change the corporate name and continue on abusing the law under color of another legal name.

Respectfully By Chris Walters
c/o Union Gospel Mission "Signed Chris Walters
345 Commercial Street NE Date 7/1/2019
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CERTIFICATE OF SERVICE

I Chris Walters the Plaintiff and petitioner in the Above Cause of Action do state and affirm I have emailed a true and correct copy of the foregoing document and attached exhibits to the following parties:

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Dated: 7/1/2019