THE MAREK LAW FIRM, INC.
DAVID MAREK (CA Bar No. 290686)
David@marekfirm.com
AMI SANGHVI (CA Bar No. 331801)
ami@marekfirm.com
228 Hamilton Avenue
Palo Alto, CA 94301
(650) 460-7148

BERMAN NORTH LLP
Stacy Y. North (CA Bar No. 219034)
stacy@bermannorth.com
2001 Van Ness, Suite 300
San Francisco, CA 94109
(650) 463-9158

Attorneys for Plaintiff

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco
12/27/2024
Clerk of the Court
BY: JEFFREY FLORES
Deputy Clerk

SUPERIOR COURT OF STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

CIVIL UNLIMITED JURISDICTION

MAURY BLACKMAN, an individual,

Plaintiff,

v.

SUBSTACK, INC., a Delaware Corporation; AMAZON WEB SERVICES, INC., a Delaware corporation; JACK POULSON, an individual; TECH INQUIRY, INC., a Delaware corporation; DOES 1-25, inclusive

Defendants.

Case No.: CGC-24-618681

DECLARATION OF PLAINTIFF IN FURTHER SUPPORT OF PLAINTIFF'S MOTION TO SEAL

Date: January 6, 2025
Time: 9:30 am
Dept.: 301
Judge: Hon. Rochelle C. East

Action Filed: October 3, 2024
Trial Date: None set

I declare and state as follows:

1. I made this declaration in further support of Plaintiff's Motion to Seal. The facts set forth herein are true to my own personal knowledge, and if called upon to testify thereto, I could and would competently do so under oath.

2. I am a resident of San Francisco, California. I am over 18 years old and fully competent to submit this affidavit. I make this statement based on my personal knowledge of the events described herein.

I Am Not A Public Figure

3. I have never been a public figure or achieved any level of fame. While my work has occasionally intersected with government entities, my roles have been limited to operational or advisory capacities and have never involved policy creation, decision-making authority, or public advocacy. I have not engaged in public controversies, debates, or activities that would attract public attention or recognition. I am not widely recognized, well-known, or famous in any context.

4. From December 2017 through December 2023, I worked as the CEO of Premise Data (referred to as "Premise Data" or "Employer"). Premise Data was a private company with no more than 100 employees. Premise Data was not well known.

5. Like many people, I have a personal webpage. My webpage was created in 2016 to help in my job search at the time. My page has never received more than 1000 views in a calendar year.

6. For four months in September 2022, while I worked at Premise Data, I hosted five episodes of a podcast in which we paid guests. The podcast never had more than 200 listeners. The podcast was stopped because there was very little interest.

7. I am one of more than 1 million U.S. citizens who hold a security clearance. My clearance is the lowest level available, and I have never visited the Pentagon or the headquarters of SOCOM (U.S. Special Operations Command).

//

//

//

On February 17, 2022, Judge Gold Of San Francisco Superior Court Sealed The Arrest Report and Related Information

8. I was involved in an incident on December 21, 2021 that resulted in my being arrested for felony domestic violence.

9. I was never accused of or committed sexual violence.

10. After the trial court considered the evidence, I was not charged with felony domestic violence, and the charges against me were dismissed by no later than February 17, 2022.

11. Pursuant to Penal Code section 851.91, I successfully petitioned the trial court to seal the arrest report and its contents.

12. On February 17, 2022, pursuant to California Criminal Code section 851.91, San Francisco Superior Court Judge Carolyn Gold entered an order sealing law enforcement agency report number 210844280 (the "Sealing Order") related to Court case number 21012755. (A copy of the "Sealing Order" issued by Judge Gold is attached hereto as "Exhibit A".)

These Events Were Not Newsworthy

13. Between December 2021 and February 17, 2022, when the incident and report were public record, no media reported on this incident or Judge Gold's Sealing Order. No third party contested Judge Gold's Sealing Order.

14. Between February 17, 2022, and September 14, 2023, during which time the SFPD released the Sealed Report to an attorney, Newton Oldfather (discussed below), no media reported on this incident or the Sealing Order.

15. On September 14, 2023, Jack Poulson initially disseminated the Sealed Report and his own detailed description of the events. In December 2023, Poulson blogged about Premise Data's termination of my employment, which Poulson occurred because of he disseminated the Sealed Report, and in January and February 2024, Poulson blogged about Premise Data settling a lawsuit against former employees pending in Santa Clara County Superior Court. Yet, between September 14, 2023 and October 3, 2024 (when this lawsuit was filed), no media covered the incident, the termination of my employment, the lawsuit that was pending in Santa Clara County Superior Court, or Poulson's Substack blog posts that disseminated this sealed information.

16. A review of Poulson's posts shows minimal engagement on this matter.

Poulson's Substack Blog Posts Disseminate The Sealed Report

17. Shortly before September 14, 2023, Poulson contacted by phone the woman involved in the incident and made her feel threatened that he was going he was going to disseminate the Sealed Report.

18. On September 14, 2023, Poulson disseminated the Sealed Report and his own description of the events set forth in the Sealed Report.

19. Poulson disseminated the Sealed Report and/or a description of the events in the Sealed Report on several instances after September 14, 2023, including on October 13, 2023, November 20, 2023, December 19, 2023, January 6, 2024, April 25, 2024, and June 6, 2024.

20. Poulson initially failed to indicate the disposition of the Sealed Report.

21. In his posts, Poulson disseminated my name, home address, and picture. He also disseminated identifying information of the woman referred to in the report, including her address, date of birth, age, hair color, eye color, height, and relationship to me.

22. Even after Substack instructed Poulson to remove certain identifying information, such as my home address, Poulson did not do so.

The Santa Clara County Litigation

23. In 2019, Premise Data, but not me personally, commenced a lawsuit in Santa Clara County Superior Court against former employees who allegedly breached contracts and committed torts aimed at harming Premise Data.

24. The former employees were represented by, among other lawyers, Newton Oldfather, an attorney at Lewis & Llewellen, LLP, and Kennith Nabity, an attorney at Delfino Madden.

25. Prior to joining Lewis & Llewellen, LLP, Oldfather served as an attorney for the San Francisco City Attorney's Office and the Department of Policy Accountability from November 2012 until April 2021. (A copy of Oldfather's firm biography is attached hereto as "Exhibit B.")

26. After September 14, 2023, when I became aware of Poulson's post through Lewis & Llewellen's use of the post and the Sealed Report in the Santa Clara County Litigation, I reached

out to the City of San Francisco in an effort to learn how Oldfather and Poulson became in receipt and possession of the Sealed Report. Through these efforts, I was provided documents from the City that establish the facts set forth below regarding the disclosure of the Sealed Report. (Documents showing Oldfather's contact with the SFPD on May 3, 2022, are attached hereto as "Exhibit C.")

27. On May 3, 2022, Oldfather requested a copy of the sealed Incident Report by the unique report number from the San Francisco Police Department ("SFPD") indicating that he had accessed my file. (See Exhibit C) In making this request, Oldfather responded to the inquiry, "Describe your interest in this Report", by stating "Attorney Investigator."

28. Prior to getting a response from the SFPD with respect to his initial request on May 3, on May 9, 2022, at 1:00 AM, Oldfather made a second request to the SFPD for the Sealed Report. (See Exhibit C.) In making this second request, Oldfather left blank the response to the inquiry to "Describe your interest in this Report."

29. On May 16, 2022, Diane Bryan, of the SFPD, wrote to Oldfather: "We have received your report request, but due to the nature of the report we must route the request to the investigative unit for final release/approval. Please be patient as this may add several days to our processing time." (See Exhibit C.)

30. On May 17, 2022, Diane Bryan wrote to Oldfather that the SFPD received his request dated May 9, 2022, that his request has been processed, and that the documents he requested have been made available via the San Francisco Public Records Portal. (See Exhibit C.)

31. The Sealed Report that the SFPD provided to Oldfather had a unique watermark identifier.

32. On July 21, 2022, after the SFPD had already provided Oldfather with the Sealed Report pursuant to his May 9 request, Daniel Leung sent an email to Oldfather in connection with Oldfather's initial request on May 3 for the Sealed Report that read: "Dear Newton Oldfather: We have received your request for Incident Report No. [XXX]. In order to process the request, please provide authorization from the party named in the report. Your request will be processed upon receipt." (See Exhibit C.) Oldfather did not provide or have authorization from me.

33. During the Santa Clara County Litigation, Oldfather never disclosed that he was in receipt and possession of the Sealed Report.

34. Before Jack Poulson unlawfully disseminated the Sealed Report and published his Substack blog post describing its contents on September 14, 2023, the former employees had made no attempt to introduce the Sealed Report into the Santa Clara County litigation. Despite having possession of the Sealed Report since March 2022, they did not propound any discovery requests related to it, nor did they raise it during my multi-day deposition. However, just two hours after Poulson's blog post was published, the former employees' counsel suddenly served a flurry of discovery requests directly referencing the Sealed Report and asserted its supposed relevance to the litigation. This abrupt and calculated shift underscores the coordinated misuse of the Sealed Report as a litigation tactic, weaponizing illegally obtained and disseminated information to gain an unfair advantage.

35. The version of the Sealed Report that Poulson published on September 14, 2023, contained the same unique watermark identifier as the copy of this report that the SFPD provided to Oldfather.

36. According to records provided by the SFPD, as of October 3, 2023, five requests had been made to the SFPD for the release of this report (including the two requests by Oldfather). (See Exhibit C.) The SFPD only released the report two times: once to me in December 2021 and once to Oldfather in May 2022. The SFPD never released the report to a journalist. Neither Poulson nor Byron Tau ever submitted a request to the SFPD for release of the report, and the SFPD never released the report to either Poulson or Tau.

37. By no later than September 25, 2023, counsel representing my Employer in the Employee Litigation, Dhaivat Shah of Grellas Shah LLP, notified Oldfather and Nabity that the Sealed Report had been sealed by Court Order pursuant to Section 851.91.

38. Nabity admitted that he sent the Sealed Report to Byron Tau.

I Made Efforts To Get The Sealed Report Removed

39. In November 2023, I notified Substack that the Sealed Report that was in its possession and being disseminated on Poulson's blog had been sealed by a Court Order, and I

requested that Substack give up possession of the Sealed Report and immediately take down all content describing or related to the Sealed Report, which was required by California law and Substack's Acceptable Use Policy, which prohibits illegal content.

40. Substack remained in receipt and possession of the Sealed Report and did not remove Poulson's posts.

41. On November 28, 2023, counsel representing my Employer in the Employee Litigation filed a motion with respect to the Sealed Report seeking to keep the Sealed Report and its contents sealed and confidential pursuant to a protective order. The documents filed with the Court in connection with the Employee Litigation referenced that the Sealed Report that Poulson had published on Substack had been sealed pursuant to a court order dated February 17, 2022.

42. On April 26, 2024, my counsel, Binall Law Group, sent correspondence to Substack requesting the immediate removal of the Sealed Report and its contents.

43. In June 2024, Police Accountability referred the matter to SFPD Internal Affairs

44. On June 3, 2024, Police Accountability informed me that they had referred the matter to SFPD internal affairs.

45. On June 20, 2024, after not hearing from them, I reached out directly to internal affairs.

46. On June 25, Lt. Chris Beauchamp #561reached out and informed me I would need to wait until department head Lt. Lisa Springer returned on July 7, 2023.

47. On June 23, 2024, I sent an email to Substack requesting the immediate removal of the Sealed Report and its contents due to the sealed nature of the report and violations of California law. Substack did not respond.

48. In August 2024, Lt Springer notified me that the department would conduct an investigation into the release of the Sealed Report.

49. In September 2024, the woman involved in this matter and I together met with Sgt. Degand, the investigator, to express our joint concerns regarding the release of the Sealed Report. We urged him to take some action to stop the illegal dissemination of the Sealed Report.

50. On September 13, through my counsel, I again contacted Substack to request that Substack immediately remove the Sealed Report because Substack was in violation of California law and Substack's Acceptable Use Policies.

51. On September 13, 2024, through counsel, I contacted Amazon Web Services, which hosts Substack, and requested that it remove the Sealed Report and its contents because AWS was in violation of California law and AWS's Acceptable Use Policy.

52. On September 16, 2024, through counsel, I contacted Poulson and Tech Inquiry and requested that they remove the Sealed Report and related information because Poulson and Tech Inquiry were in violation of California law.

53. On September 19, 2024, the San Francisco City Attorney sent a letter to Substack that, pursuant to Section 851.92(c) and Substack's Acceptable Use Policy, requested that Substack "immediately remove the Sealed Report and its contents from your website and ensure that the index to postings no longer allows for the Sealed Report to be viewed or downloaded" by September 23, 2024, and "refrain from publishing this material in the future." (A copy of the letter from the SF City Attorney is attached hereto as "Exhibit D.")

54. On September 23, 2024, through my counsel, I forwarded a copy of the letter the San Francisco City Attorney had sent to Substack to AWS.

55. On September 23, 2024, Substack's counsel, Wilson Sonsini, responded to my September 13, 2024, on behalf of Substack, letter, indicating that Substack would not remove the Sealed Report.

56. On September 25, 2024, Joshua Stokes, of Berry, Silberberg, & Stokes, sent a letter to my lawyer on behalf of Poulson. In this letter, Poulson's lawyer indicated that Poulson would not remove the Sealed Report or its contents.

57. On October 3, 2024, the San Francisco City Attorney sent letters to each Substack and Poulson. (Copies of the letter from the San Francisco City Attorney are attached as "Exhibit E" and "Exhibit F.") In these letters, the San Francisco City Attorney instructed Substack and Poulson to remove the Sealed Report and related information pursuant to California law and Substack's Acceptable Use Policy.

58. The Sealed Report has not been taken down and remains in receipt and possession of all Defendants.

59. On October 3, 2024, I filed this lawsuit as John Doe to protect my privacy, and all Defendants were immediately notified.

The San Francisco Chronicle Covered This Lawsuit

60. On October 29, 2024, a reporter from the San Francisco Chronicle, who had knowledge that the report had been sealed by Court Order, published an article online titled "Tech exec sues journalist for $25M for publishing his sealed arrest report," that referred to the Sealed Report and its contents, as well as my name. The article mistakenly confused what was in the demand letter I had sent to Poulson and Tech Inquiry with the actual Complaint, thereby showing that Poulson was the source for this article.

61. Prior to October 29, 2024, the San Francisco Chronicle never reported on me, the arrest, the Sealing Order, Poulson's Substack blog posts that disseminated the Sealed Report, the termination of my employment, or the Santa Clara County Litigation.

62. I called the reporter and asked where he learned of the lawsuit, and he informed me Susan Seager, Tech Inquiry's attorney, had contacted him.

Defendants' Conduct Has Caused Me Damage.

63. I am a private individual, and the events detailed in the Sealed Report are deeply personal and private, affecting both myself and the woman involved. These events hold absolutely no relevance to any matter of public significance or issue of legitimate public interest. Any attention directed toward these events would amount to nothing more than a gratuitous and prurient intrusion into my private life, driven by sensationalism rather than any genuine or lawful purpose.

64. The continued and ongoing dissemination of the Sealed Report has caused and will continue to cause both monetary and irreparable harm, including but not limited to the stigmatization that comes with public dissemination of the Sealed Report and the arrest, particularly when Poulson often failed to indicate the disposition of the arrest.

65. While my arrest was not itself newsworthy, people and entities interested in hiring me will become aware of it by conducting a basic Google search of my name.

I declare under penalty of perjury to the laws of the State of California that the foregoing facts are true and correct.

Executed on December 27, 2024, San Francisco, California.

/s/

Plaintiff Delwin Maurice Blackman III

PROOF OF SERVICE

I, Christina Yanacek, declare as follows:

I am over eighteen years of age and not a party to the within action. I am employed in San Francisco County, California. My business address is 2001 Van Ness Avenue, Suite 300, San Francisco, CA 94109.

On the date set forth below, I served a copy of the following:

DECLARATION OF PLAINTIFF IN FURTHER SUPPORT OF PLAINTIFF'S MOTION TO SEAL

on the parties named as follows:

(X) **(BY EMAIL)** – by electronically mailing a true and correct copy through BERMAN NORTH LLP's electronic mail system to the email address(es) set forth below, or as stated in the attached service list per the parties' agreement.

(X) **(BY E-SERVICE)** – by electronically serving the document(s) listed above and on the Transaction Receipt, which were e-filed with the San Francisco County Superior Court and e-served via the One Legal's electronic filing system, to the email address(es) of the party(ies) designated below in accordance with the San Francisco County Superior Court Local Rules.

I served the above document(s) on the following person(s):

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 27, 2024, at Long Beach, California.

Christina Yanacek

Christina Yanacek

SERVICE LIST

Ambika Kumar Sarah E. Burns DAVIS WRIGHT TREMAINE LLP 50 California Street, 23rd Floor San Francisco, CA 94111 Phone: (206) 757-8030 (415) 276-4892 Email: ambikakumar@dwt.com; sarahburns@dwt.com cc: ryanrubio@dwt.com **Counsel for Defendant** **Amazon Web Services, Inc.**	Joshua A. Baskin Thomas R. Wakefield Wilson Sonsini Goodrich & Rosati 1 Market Plaza, Spear Tower, Suite 3300 San Francisco, CA 94105 Email: jbaskin@wsgr.com; twakefield@wsgr.com; Substack-Doe@wsgr.com cc: rglynn@wsgr.com **Counsel for Defendant** **Substack, Inc.**
Susan E. Saeger The Office of Susan E. Saeger Phone: (310) 890-8991 Email: susanseager1999@gmail.com **Counsel for Defendant** **Tech Inquiry, Inc.**	David Greene Victoria Noble Electronic Frontier Foundation 815 Eddy Street San Francisco, CA 94109 Tel.: (415) 436-9333 Fax: (415) 436-9993 Email: davidg@eff.org; tori@eff.org; cc: victoria@eff.org **Counsel for Defendant** **Jack Poulson**

EXHIBIT A

CR-410 Order to Seal Arrest and Related Records (Pen. Code, §§ 851.91, 851.92)

Clerk stamps date here when form is filed.

FEB 17 2022

(1) Name: BLACKMAN (Last) DELWIN (First) M (Middle)

Mailing address: 360 RITCH ST. #201 (Street)

SAN FRANCISCO (City) CA (State) 94107 (Zip)

(2) The court finds that the petitioner is eligible for the following requested relief and makes the following order:

☑ The court **GRANTS** the petition. The record of arrest in the following matter shall be sealed under the provisions of section 851.91, and the arrest deemed not to have occurred:

Law enforcement agency report number: 210844280

Prosecuting agency report number:

Court case number: 21012755

Other:

Clerk fills in the name and street address of the court.

Superior Court of California, County of
SAN FRANCISCO, 850 BRYANT STREET, SAN FRANCISCO, CA 94107

Clerk fills in the number and name of the case.

Trial Court Case Number:
21012756

Trial Court Case Name:
People of the State of California
v. BLACKMAN

Petitioner may answer any question relating to the sealed arrest as though it did not happen, and petitioner is released from all penalties and disabilities resulting from the arrest, except as follows:

- The sealed arrest may be pleaded and proved in any later prosecution of the petitioner for any other offense, and will have the same effect as if it had not been sealed.
- The sealing of an arrest under section 851.91 does not relieve the petitioner of the obligation to disclose the arrest, if otherwise required by law, in response to any direct question contained in a questionnaire or application for public office, for employment as a peace officer, for licensure by any state or local agency, or for contracting with the California State Lottery Commission.
- The sealing of an arrest under this section does not affect petitioner's authorization to own, possess, or have in his or her custody or control any firearm, or his or her susceptibility to conviction under Chapter 2 (commencing with section 29800) of Division 9 of Title 4 of Part 6, if the arrest would otherwise affect this authorization or susceptibility.
- The sealing of an arrest under this section does not affect any prohibition from holding public office that would otherwise apply under law as a result of the arrest.

(3) ☐ The court **DENIES** the petition *(check one)*:

a. ☐ The petition does not meet the requirements listed in Penal Code section 851.91(b)(1).

b. ☐ Petitioner's arrest does not qualify under Penal Code section 851.91(a).

c. ☐ The court finds that sealing the arrest would not serve the interests of justice under Penal Code section 851.91(c)(2).

d. ☐ Other:

Date: FEB 15 2022

Hon. Carolyn Gold
Signature of judicial officer

This is a Court Order.

EXHIBIT B

< https://lewisllewellyn.com/>

Attorney

Newton Oldfather

Email Newton

6260 75

Education

Skidmore College, BA

Privacy - Terms

UCLA School of Law, JD

CONTACT < HTTPS://LEWISLLEWELLYN.COM/CONTACT>

< https://lewisllewellyn.com/>

Biography

Newton Oldfather is an experienced litigator with over ten years of experience in government practice, internal investigations, litigation, and trials.

Before joining Lewis & Llewellyn, Newton began his career in the San Francisco office of Latham & Watkins LLP, one of the world's premier international law firms. There, he worked on the white-collar defense team, specializing in high-profile complex

commercial disputes.

CONTACT < HTTPS://LEWISLLEWELLYN.COM/CONTACT>

< https://lewisllewellyn.com/>

Following that, Newton was a member of the San Francisco City Attorney's Office Trial Team, where he defended the City and County of San Francisco in a wide variety of cases, including personal injury, civil rights, property, and complex litigation. As a Deputy City Attorney, Newton tried multiple cases to jury verdict in both state and federal court.

More recently, Newton worked at the San Francisco Department of Police Accountability, where he prosecuted law enforcement

misconduct cases, oversaw high-profile internal investigations, and advised on issues of police reform and privacy. Newton also created and implemented the first civilian oversight system for the San Francisco Sheriff's Office.

Away from the office, Newton enjoys camping and exploring the outdoors with his wife and two kids.

CONTACT < HTTPS://LEWISLLEWELLYN.COM/CONTACT>

< https://lewisllewellyn.com/>

OUR CLIENTS

< https://lewisllewellyn.com/>

< https://lewisllewellyn.com/>

© 2024 Lewis & Llewellyn LLP

San Francisco Office

601 Montgomery Street
Suite 2000
San Francisco, CA 94111
415-800-0590

Los Angeles Office

2121 Avenue of the Stars
Suite 800
Los Angeles, CA 90067
213-510-8416

Email

info@lewisllewellyn.com

EXHIBIT C

GovQA

Support Center 7 | GovQA Settings | 110 | AT

All Requests

New Request | Browse | Edit | Export | Letters | Print | Delete Checked

Show Requests that match all of these conditions:

IRR Report Number	contains	210844280	Search
Reference No	contains	Enter	
Any Field	contains	Enter	
Duplicate/Similar Requests	equals	Enter Number	
Customer Last Name	equals	Enter	
Customer Email	contains	Enter	

Add Filter

Results: **5 Requests**

Displaying records 1 to 5 of 5

Reference No	Request Info		Create Date	Customer Full Name	Status	Assigned Dept	Assigned Staff	Summary	Public Record Desired	Customer Email	Extension
R030311-122721	2/2	1	12/27/2021 8:58 PM	Maury Blackman	Completed	CISU	Elizabeth Elemento	210844280		[redacted]	release
R026514-100323		1	10/3/2023 11:49 AM	David Siegel	Completed	CISU	Elizabeth Elemento	210844280			ot release
R026487-100323		1	10/3/2023 10:04 AM	Jake Lipton	Completed	CISU	Diane Harper	210844280			Not release
R011205-051622	2/2	2	5/9/2022 1:00 AM	Newton Oldfather	Completed	CISU	Diane Bryan	210844280			Releas
R010166-050322			5/3/2022 1:20 PM	Newton Oldfather	Completed	CISU	Daniel Leung	210844280			Not releas

CISV staff entered request in GovQA

210844280 (Incident Report Request #R011205-051622)

Incident Report Request Details

Supervisor Review

San Francisco Police Department Incident Report Information

San Francisco Police Department Incident Report Information

Requester Category

Is this a DHS ICE Report pursuant to 5.15 General Order?:	No
Please Select One:	Public
Report No.:	210844280
Date of Incident:	
Location of Incident:	
Incident Type:	Domestic Violence
Is this a Traffic Collision Report:	
Is this case assigned to Special Victims Unit (SVU)?:	Yes
Are you the victim?:	No
Relationship to Victim:	Other/Not Listed
If Relationship to Victim is Other - Please Provide Details:	I don't know who this person is
ID and Authorization Required to Pick Up Report:	

Requester Information

Requester Information

Name:	Newton Oldfather
Address:	
City:	San Francisco
State:	CA
Zip Code:	
Country:	
Company/Agency Name:	
Phone:	
Email:	
Name of Party Listed on Report:	[redacted]
Date of Birth:	

Describe Your Interest in this Report:	
Preferred Method to Receive Report:	Pick-up Copies
Preferred Method to Receive Report (INTERNAL ONLY):	Email (Non-Portal)

Pick-Up Report:

If you have elected to pick up your report, please be aware the report will be made available at:

SFPD Headquarters

1245 3rd Street, 1st Floor

San Francisco, CA 94158

Hours: Monday through Friday (8:00am-5:00pm)

We are closed on weekends and holidays.

Please call 415-575-7232 to confirm your report is ready for pick up.

Authorization
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. There is no legal requirement to fill out this form in its entirety. However, certain individuals are entitled to receive more information pursuant to California Government Code § 6254 (f). The more information you provide may help the Department determine the amount of information provided to you.

⌄ Internal Information Only

Incident Type Designation:	
Unit for PINK Assignment:	Special Victims Unit (SVU) |

› Exemptions

› Redaction Guidelines

› Days in Status Counter (Internal Only)

⌄ Message History

Date

On 5/17/2022 2:39:44 PM, Diane Bryan wrote:
Subject: Service Request Updated :: R011205-051622
Body:
May 17, 2022

Newton Oldfather

San Francisco, CA

RE: Police Incident Report Request, dated May 09, 2022, Reference # R011205-051622

Dear Newton Oldfather:

The San Francisco Police Department (SFPD) received your Police Incident Report Request, dated May 09, 2022.

Your request has been processed and is now complete. Documents/records have now been made available via the San Francisco Public Records Center.

Incident Report Request - R011205-051622

Please Note:
If you need to request a correction to a report or add additional lost/stolen items and your Initial Report was submitted:
1. Online through CopLogic: You may submit a Supplemental Report online using CopLogic via https://www.sanfranciscopolice.org/get-servicepolice-reports/file-police-report
2. Phone: Call 311 (outside of San Francisco 1-415-701-2311) and relay the information over the phone.
3. Person: Go to your local police station and file a supplemental report.

To Request Photos/Videos/Statements/Evidence:
File a public records request online at https://www.sanfranciscopolice.org/get-service/public-records-request

On 5/16/2022 1:12:07 PM, Diane Bryan wrote:
Subject: Service Request Updated :: R011205-051622
Body:
May 16, 2022

Dear Newton Oldfather:

We have received your report request, but due to the nature of the report we must route the request to the investigative unit for final release/approval. Please be patient as this may add several days to our processing time.

To monitor the progress or update this request please log into the SFPD Public Records Center.

Date

On 5/16/2022 1:04:37 PM, System Generated Message:
Subject: INCIDENT REPORT Request :: R011205-051622
Body:

FAQ: Why is it taking so long to receive a copy of my report/record?

As the result of the COVID-19 pandemic and an understaffed Unit, increased workload, and financial restrictions; CISU is currently experiencing a backlog of requests for public records. We appreciate your patience during this time. Please DO NOT make a duplicate request for a copy of your report/record. This could potentially further delay your request, it is advised you follow the steps below.

FAQ: How do I send an email asking for a follow-up on the report/record I'm still waiting for?

While on the *Incident Report Request Portal*, please click on *View My Requests* and sign in to your account. Once you have signed in, you should see a form that you are allowed to type in. In the box provided, you may type *"I would like an update on the status of my initial report requested"*. Please be patient while waiting for an email response back from CISU.

Dear Newton Oldfather:

The San Francisco Police Department has received your request for Incident Report Number 210844280.

Your request was received on 5/9/2022 and given the reference number R011205-051622 for tracking purposes. Your request will be processed within ten (10) days in the order it was received. If applicable, your request will be expedited pursuant to the statutory guidelines.

Under CA Family Code § 6228, incident reports requested by a victim or his or her representative for the alleged crimes of domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult are entitled to receive copies within five (5) working days of the request, unless good cause for delay exists. If good cause exists, reports shall be released no later than ten (10) working days after request is made.

To monitor the progress or update this request please log into the SFPD Public Records Center.

Thank you,

San Francisco Police Department
Crime Information Services Unit
1245 3rd Street, First Floor
San Francisco, CA 94158
415-575-7232

Counter Operating Hours: Monday – Friday 8:00 am to 5:00 pm
Closed Saturday and Sunday

Date

On 5/16/2022 1:04:36 PM, System Generated Message:
Message sent to: **Newton Oldfather**
Subject: Incident Report Request :: R011205-051622
Body:

*If you have already picked up your incident report at Police Headquarters, please disregard the automated message below.

Dear Newton Oldfather:

The San Francisco Police Department has received your request for Incident Report Number 210844280.

Your request was received on 5/9/2022 and given the reference number R011205-051622 for tracking purposes. Your request will be processed within ten (10) days in the order it was received. If applicable, your request will be expedited pursuant to the statutory guidelines.

Under CA Family Code § 6228, incident reports requested by a victim or his or her representative for the alleged crimes of domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult are entitled to receive copies within five (5) working days of the request, unless good cause for delay exists. If good cause exists, reports shall be released no later than ten (10) working days after request is made.

Thank you,

San Francisco Police Department
Crime Information Services Unit
1245 3rd Street, First Floor
San Francisco, CA 94158
415-575-7232

Counter Operating Hours:
Monday – Friday 8:00 am to 5:00 pm
Closed Saturday and Sunday

To monitor the progress or update this request please log into the CISU Incident Report Request Portal.

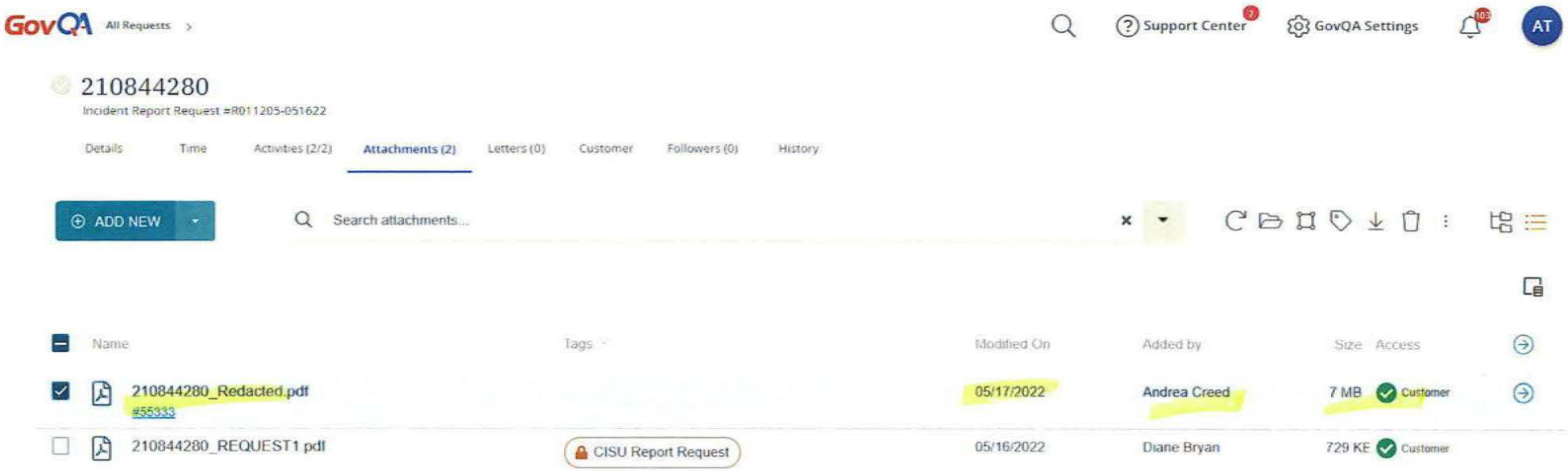
This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.

On 5/16/2022 1:04:35 PM, Diane Bryan wrote:
Request was created by staff

Request Details

Reference No:	R011205-051622
Created By:	Diane Bryan
Create Date:	5/9/2022 1:00 AM
Update Date:	5/17/2022 2:39 PM
Completed/Closed:	Yes
Close Date:	5/17/2022 2:39 PM

Status:	Completed
Priority:	Medium
Assigned Dept:	CISU
Assigned Staff:	Diane Bryan
Customer Name:	Newton Oldfather
Email Address:	[redacted]
Phone:	
Group:	CISU
Source:	Email


GovQA
All Requests
Support Center
GovQA Settings
AT
210844280
Incident Report Request #R011205-051622
Details
Time
Activities (2/2)
Attachments (2)
Letters (0)
Customer
Followers (0)
History
ADD NEW
Search attachments...
Name
Tags
Modified On
Added by
Size
Access
210844280_Redacted.pdf
#55333
05/17/2022
Andrea Creed
7 MB
Customer
210844280_REQUEST1.pdf
CISU Report Request
05/16/2022
Diane Bryan
729 KB
Customer

Incomplete

210844280 (Incident Report Request #R010166-050322)

Incident Report Request Details

Supervisor Review

San Francisco Police Department Incident Report Information

San Francisco Police Department Incident Report Information

Requester Category

Is this a DHS ICE Report pursuant to 5.15 General Order?:	No
Please Select One:	Public
Report No.:	210844280
Date of Incident:	12/22/2021
Location of Incident:	Unknown
Incident Type:	
Is this a Traffic Collision Report:	
Is this case assigned to Special Victims Unit (SVU)?:	Does Not Apply

Requester Information

Requester Information

Name:	Newton Oldfather
Address:	
City:	San Francisco
State:	CA
Zip Code:	
Country:	
Company/Agency Name:	
Phone:	518-879-9060
Email:	[redacted]
Name of Party Listed on Report:	[redacted]
Date of Birth:	
Describe Your Interest in this Report:	Attorney Investigation
Preferred Method to Receive Report (INTERNAL ONLY):	

Authorization

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. There is no legal requirement to fill out this form in its entirety. However, certain individuals are entitled to receive more information pursuant to California Government Code § 6254 (f). The more information you provide may help the Department determine the amount of information provided to you.

I acknowledge that by clicking on the submit button, I have read and understand the Authorization. |

Preferred Method to Receive Report: Pick-up Copies

Internal Information Only

Incident Type Designation:

Unit for PINK Assignment:

Exemptions

Redaction Guidelines

Days in Status Counter (Internal Only)

Message History

Date

On 7/21/2022 10:17:40 AM, Daniel Leung wrote:
Subject: Service Request Updated :: R010166-050322
Body:
July 21, 2022

Dear Newton Oldfather:

We have received your request for Incident Report No. 210844280. In order to process the request, please provide authorization from the party named in the report. Your request will be processed upon receipt.

To monitor the progress or update this request please log into the SFPD Public Records Center.

Date

On 5/3/2022 1:20:51 PM, System Generated Message:
Subject: INCIDENT REPORT Request :: R010166-050322
Body:

FAQ: Why is it taking so long to receive a copy of my report/record?

As the result of the COVID-19 pandemic and an understaffed Unit, increased workload, and financial restrictions; CISU is currently experiencing a backlog of requests for public records. We appreciate your patience during this time. Please DO NOT make a duplicate request for a copy of your report/record. This could potentially further delay your request, it is advised you follow the steps below.

FAQ: How do I send an email asking for a follow-up on the report/record I'm still waiting for?

While on the *Incident Report Request Portal*, please click on *View My Requests* and sign in to your account. Once you have signed in, you should see a form that you are allowed to type in. In the box provided, you may type *"I would like an update on the status of my initial report requested"*. Please be patient while waiting for an email response back from CISU.

Dear Newton Oldfather:

The San Francisco Police Department has received your request for Incident Report Number 210844280.

Your request was received on 5/3/2022 and given the reference number R010166-050322 for tracking purposes. Your request will be processed within ten (10) days in the order it was received. If applicable, your request will be expedited pursuant to the statutory guidelines.

Under CA Family Code § 6228, incident reports requested by a victim or his or her representative for the alleged crimes of domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult are entitled to receive copies within five (5) working days of the request, unless good cause for delay exists. If good cause exists, reports shall be released no later than ten (10) working days after request is made.

To monitor the progress or update this request please log into the SFPD Public Records Center.

Thank you,

San Francisco Police Department
Crime Information Services Unit
1245 3rd Street, First Floor
San Francisco, CA 94158
415-575-7232

Counter Operating Hours: Monday – Friday 8:00 am to 5:00 pm
Closed Saturday and Sunday

Date

On 5/3/2022 1:20:51 PM, System Generated Message:
Message sent to: **Newton Oldfather**
Subject: Incident Report Request :: R010166-050322
Body:

*If you have already picked up your incident report at Police Headquarters, please disregard the automated message below.

Dear Newton Oldfather:

The San Francisco Police Department has received your request for Incident Report Number 210844280.

Your request was received on 5/3/2022 and given the reference number R010166-050322 for tracking purposes. Your request will be processed within ten (10) days in the order it was received. If applicable, your request will be expedited pursuant to the statutory guidelines.

Under CA Family Code § 6228, incident reports requested by a victim or his or her representative for the alleged crimes of domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult are entitled to receive copies within five (5) working days of the request, unless good cause for delay exists. If good cause exists, reports shall be released no later than ten (10) working days after request is made.

Thank you,

San Francisco Police Department
Crime Information Services Unit
1245 3rd Street, First Floor
San Francisco, CA 94158
415-575-7232

Counter Operating Hours:
Monday – Friday 8:00 am to 5:00 pm
Closed Saturday and Sunday

To monitor the progress or update this request please log into the CISU Incident Report Request Portal.

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.

On 5/3/2022 1:20:50 PM, Newton Oldfather wrote:
Request Created on Public Portal

Request Details

Reference No:	R010166-050322
Create Date:	5/3/2022 1:20 PM
Update Date:	9/19/2023 8:56 PM
Completed/Closed:	Yes
Close Date:	9/19/2023 8:56 PM
Status:	Completed

Priority:	Medium
Assigned Dept:	CISU
Assigned Staff:	Daniel Leung
Customer Name:	Newton Oldfather
Email Address:	[redacted]
Phone:	
Group:	CISU
Source:	Web

EXHIBIT D

CITY AND COUNTY OF SAN FRANCISCO

DAVID CHIU
City Attorney

OFFICE OF THE CITY ATTORNEY

JENNIFER CHOI
Deputy City Attorney

Direct Dial: (415) 554-3887
Email: jennifer.choi@sfcityatty.org

September 19, 2024

Via U. S. Mail and Electronic Mail

Substack
111 Sutter Street, 7th Flr.
San Francisco, CA 94104
"tos@substackinc.com"

Re: Notice of Publication of Sealed Document

Dear Substack:

It has come to our office's attention that San Francisco Police Department incident report number 210844280 ("Incident Report") as well as its contents have been published in multiple postings on your website.[1] The Incident Report was previously sealed by court order. A copy of the court order sealing the report is attached.

Pursuant to California Penal Code section 851.92(c) and your own "Acceptable Use Policy," we expect that you will immediately remove the Incident Report and its contents from your website and ensure that the index to postings no longer allows for the Incident Report to be viewed or downloaded. Please alert us when the documents and its contents have been taken down from your website by no later than September 23, 2024. Finally, please refrain from publishing this material in the future.

If you would like to discuss further, please let us know. Thank you.

Very truly yours,

DAVID CHIU
City Attorney

JENNIFER E. CHOI
Deputy City Attorney

Encl.

[1] See https://jackpoulson.substack.com/p/the-covert-gig-work-surveillance?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/fraudulent-dmca-takedown-submitted?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/ceo-of-gig-work-surveillance-firm?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/california-based-covert-surveillance?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2.

CR-410 Order to Seal Arrest and Related Records (Pen. Code, §§ 851.91, 851.92)

Clerk stamps date here when form is filed.

FEB 17 2022

(1) Name: BLACKMAN (Last) DELWIN (First) M (Middle)

Mailing address: 360 RITCH ST. #201 (Street)

SAN FRANCISCO (City) CA (State) 94107 (Zip)

(2) The court finds that the petitioner is eligible for the following requested relief and makes the following order:

☑ The court **GRANTS** the petition. The record of arrest in the following matter shall be sealed under the provisions of section 851.91, and the arrest deemed not to have occurred:

Clerk fills in the name and street address of the court.

Superior Court of California, County of
SAN FRANCISCO, 850 BRYANT STREET, SAN FRANCISCO, CA 94107

Law enforcement agency report number: 210844280

Prosecuting agency report number:

Court case number: 21012755

Other:

Clerk fills in the number and name of the case.

Trial Court Case Number:
21012756

Trial Court Case Name:
People of the State of California
v. BLACKMAN

Petitioner may answer any question relating to the sealed arrest as though it did not happen, and petitioner is released from all penalties and disabilities resulting from the arrest, except as follows:

- The sealed arrest may be pleaded and proved in any later prosecution of the petitioner for any other offense, and will have the same effect as if it had not been sealed.
- The sealing of an arrest under section 851.91 does not relieve the petitioner of the obligation to disclose the arrest, if otherwise required by law, in response to any direct question contained in a questionnaire or application for public office, for employment as a peace officer, for licensure by any state or local agency, or for contracting with the California State Lottery Commission.
- The sealing of an arrest under this section does not affect petitioner's authorization to own, possess, or have in his or her custody or control any firearm, or his or her susceptibility to conviction under Chapter 2 (commencing with section 29800) of Division 9 of Title 4 of Part 6, if the arrest would otherwise affect this authorization or susceptibility.
- The sealing of an arrest under this section does not affect any prohibition from holding public office that would otherwise apply under law as a result of the arrest.

(3) ☐ The court **DENIES** the petition *(check one)*:

a. ☐ The petition does not meet the requirements listed in Penal Code section 851.91(b)(1).

b. ☐ Petitioner's arrest does not qualify under Penal Code section 851.91(a).

c. ☐ The court finds that sealing the arrest would not serve the interests of justice under Penal Code section 851.91(c)(2).

d. ☐ Other:

Date: FEB 15 2022

Hon. Carolyn Gold
Signature of judicial officer

This is a Court Order.

EXHIBIT E

CITY AND COUNTY OF SAN FRANCISCO

DAVID CHIU
City Attorney

OFFICE OF THE CITY ATTORNEY

JENNIFER CHOI
Deputy City Attorney

Direct Dial: (415) 554-3887
Email: jennifer.choi@sfcityatty.org

October 3, 2024

Via U. S. Mail and Electronic Mail

Joshua A. Baskin
Wilson Sonsini Goodrich & Rosati
One Market Plaza
Spear Tower, Suite 3300
San Francisco, CA 94105
"jbaskin@wsgr.com"

Re: Publication of Sealed Document by Substack

Dear Mr. Baskin:

On September 19, 2024, my office notified your client Substack in writing that it had published a sealed San Francisco Police Department incident report number 210844280 ("Incident Report") on its platform, in violation of a court order and Substack's own "Acceptable Use Policy." We demanded that Substack immediately remove the Incident Report and its contents from its website and ensure that the index to postings no longer allow for it to be downloaded. Substack failed to do so.

Instead, on September 24, 2024, you responded on behalf of Substack and advised that Section 230 of the Communications Decency Act bars Substack from liability for the content posted by its users. You then recommended that the City contact the post's publisher.

Your September 24, 2024 response is inadequate. Regardless of whether Substack has liability for continuing to post the Incident Report on its platform, Substack is now on notice that the posting of the Incident Report violates its own "Acceptable Use Policy" as well as a court order. Substack has also failed to remove what it now knows to be a posting that violates its own "Acceptable Use Policy" as well as a court order. Your September 24, 2024 letter also fails to state whether Substack has asked the author of the posts to comply with Substack's "Acceptable Use Policy" and take down the posts related to the Incident Report.

While the City will also contact the author of the posts, Substack has a separate duty to follow its own "Acceptable Use Policy" and court orders.

///

///

///

///

///

///

///

Please alert us when the Incident Report and its contents have been taken down from Substack's platform. As stated previously, please also refrain from publishing this material in the future.

Thank you.

Very truly yours,

DAVID CHIU
City Attorney

JENNIFER E. CHOI
Deputy City Attorney

CR-410 **Order to Seal Arrest and Related Records (Pen. Code, §§ 851.91, 851.92)**

Clerk stamps date here when form is filed.

FEB 1 7 2022

(1) Name: BLACKMAN (Last) DELWIN (First) M (Middle)

Mailing address: 360 RITCH ST. #201 (Street)

SAN FRANCISCO (City) CA (State) 94107 (Zip)

(2) The court finds that the petitioner is eligible for the following requested relief and makes the following order:

☒ The court **GRANTS** the petition. The record of arrest in the following matter shall be sealed under the provisions of section 851.91, and the arrest deemed not to have occurred:

Law enforcement agency report number: 210844280

Prosecuting agency report number:

Court case number: 21012755

Other:

Clerk fills in the name and street address of the court.

Superior Court of California, County of
SAN FRANCISCO, 850 BRYANT STREET, SAN FRANCISCO, CA 94107

Clerk fills in the number and name of the case.

Trial Court Case Number:
21012756

Trial Court Case Name:
People of the State of California
v. BLACKMAN

Petitioner may answer any question relating to the sealed arrest as though it did not happen, and petitioner is released from all penalties and disabilities resulting from the arrest, except as follows:

- The sealed arrest may be pleaded and proved in any later prosecution of the petitioner for any other offense, and will have the same effect as if it had not been sealed.
- The sealing of an arrest under section 851.91 does not relieve the petitioner of the obligation to disclose the arrest, if otherwise required by law, in response to any direct question contained in a questionnaire or application for public office, for employment as a peace officer, for licensure by any state or local agency, or for contracting with the California State Lottery Commission.
- The sealing of an arrest under this section does not affect petitioner's authorization to own, possess, or have in his or her custody or control any firearm, or his or her susceptibility to conviction under Chapter 2 (commencing with section 29800) of Division 9 of Title 4 of Part 6, if the arrest would otherwise affect this authorization or susceptibility.
- The sealing of an arrest under this section does not affect any prohibition from holding public office that would otherwise apply under law as a result of the arrest.

(3) ☐ The court **DENIES** the petition *(check one)*:

a. ☐ The petition does not meet the requirements listed in Penal Code section 851.91(b)(1).

b. ☐ Petitioner's arrest does not qualify under Penal Code section 851.91(a).

c. ☐ The court finds that sealing the arrest would not serve the interests of justice under Penal Code section 851.91(c)(2).

d. ☐ Other:

Date: FEB 15 2022

Hon. Carolyn Gold
Signature of judicial officer

This is a Court Order.

EXHIBIT F

CITY AND COUNTY OF SAN FRANCISCO

DAVID CHIU
City Attorney

OFFICE OF THE CITY ATTORNEY

JENNIFER CHOI
Deputy City Attorney

Direct Dial: (415) 554-3887
Email: jennifer.choi@sfcityatty.org

October 3, 2024

Via U. S. Mail and Electronic Mail

Joshua C. Stokes
Berry, Silberberg, & Stokes
11600 Washington Place, Suite 202C
Los Angeles, CA 90066
"jstokes@berrysilberberg.com"

Re: Notice of Publication of Sealed Document

Dear Mr. Stokes:

It has come to our office's attention that San Francisco Police Department incident report number 210844280 ("Incident Report") as well as its contents have been published in multiple postings on Substack by your client Jack Poulson.[1] The Incident Report was previously sealed by court order. A copy of the court order sealing the report is attached.

Pursuant to California Penal Code section 851.92(c) and Substack's "Acceptable Use Policy," we expect that you will immediately remove the Incident Report and its contents from Substack and ensure that the index to postings no longer allows for the Incident Report to be viewed or downloaded. Please alert us when the documents and its contents have been taken down from your website. Finally, please refrain from publishing this material in the future.

Thank you.

Very truly yours,

DAVID CHIU
City Attorney

JENNIFER E. CHOI
Deputy City Attorney

Encl.

[1] See https://jackpoulson.substack.com/p/the-covert-gig-work-surveillance?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/fraudulent-dmca-takedown-submitted?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/ceo-of-gig-work-surveillance-firm?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2. See also https://jackpoulson.substack.com/p/california-based-covert-surveillance?utm_source=%2Fsearch%2Fmaury%2520blackman&utm_medium=reader2.

CR-410 **Order to Seal Arrest and Related Records (Pen. Code, §§ 851.91, 851.92)**

Clerk stamps date here when form is filed.

FEB 17 2022

(1) Name: BLACKMAN (Last) DELWIN (First) M (Middle)

Mailing address: 360 RITCH ST. #201 (Street)

SAN FRANCISCO (City) CA (State) 94107 (Zip)

(2) The court finds that the petitioner is eligible for the following requested relief and makes the following order:

☑ The court **GRANTS** the petition. The record of arrest in the following matter shall be sealed under the provisions of section 851.91, and the arrest deemed not to have occurred:

Law enforcement agency report number: 210844280

Prosecuting agency report number:

Court case number: 21012755

Other:

Clerk fills in the name and street address of the court.

Superior Court of California, County of
SAN FRANCISCO, 850 BRYANT STREET, SAN FRANCISCO, CA 94107

Clerk fills in the number and name of the case.

Trial Court Case Number:
21012756

Trial Court Case Name:
People of the State of California
v. BLACKMAN

Petitioner may answer any question relating to the sealed arrest as though it did not happen, and petitioner is released from all penalties and disabilities resulting from the arrest, except as follows:

- The sealed arrest may be pleaded and proved in any later prosecution of the petitioner for any other offense, and will have the same effect as if it had not been sealed.
- The sealing of an arrest under section 851.91 does not relieve the petitioner of the obligation to disclose the arrest, if otherwise required by law, in response to any direct question contained in a questionnaire or application for public office, for employment as a peace officer, for licensure by any state or local agency, or for contracting with the California State Lottery Commission.
- The sealing of an arrest under this section does not affect petitioner's authorization to own, possess, or have in his or her custody or control any firearm, or his or her susceptibility to conviction under Chapter 2 (commencing with section 29800) of Division 9 of Title 4 of Part 6, if the arrest would otherwise affect this authorization or susceptibility.
- The sealing of an arrest under this section does not affect any prohibition from holding public office that would otherwise apply under law as a result of the arrest.

(3) ☐ The court **DENIES** the petition *(check one)*:

a. ☐ The petition does not meet the requirements listed in Penal Code section 851.91(b)(1).

b. ☐ Petitioner's arrest does not qualify under Penal Code section 851.91(a).

c. ☐ The court finds that sealing the arrest would not serve the interests of justice under Penal Code section 851.91(c)(2).

d. ☐ Other:

Date: FEB 15 2022

Hon. Carolyn Gold
Signature of judicial officer

This is a Court Order.