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13 Attorneys for Petitioners

14 **UNITED STATES DISTRICT COURT OF CALIFORNIA**
15 **EASTERN DISTRICT - SACRAMENTO**

16 Joy Garner, individually and on behalf of The
17 Control Group; Joy Elisse Garner, individually
18 and as parent of J.S. and F.G.; Evan Glasco,
19 individually and as parent of F.G.; Traci Music,
20 individually and as parent of K.M. and J.S.;
21 Michael Harris, individually and as parent of
22 S.H.; Nicole Harris, individually and as parent of
23 S.H.,

24 Petitioners,

25 v.

26 PRESIDENT OF THE UNITED STATES OF
27 AMERICA, in his official capacity,

28 Respondent.

Case No.: 2:20-CV-02470-WBS-JDP

DECLARATION OF PETITIONER JOY
GARNER IN SUPPORT OF MOTION TO
VACATE ORDER AND JUDGMENT OF
DISMISSAL; AND FOR
DISQUALIFICATION OF JUDGE SHUBB

Date: February 22, 2022
Time: 1:30 PM
Courtroom: 5
Judge: Honorable William B. Shubb

1 diabetes,³ thyroid disorders,⁴ life-threatening allergies,⁵ digestive disorders,⁶ cancer,⁷ arthritis,⁸
2 eczema⁹ asthma, brain and nervous system disorders¹⁰, kidney failure¹¹, cirrhosis of the liver,¹²
3 and other major organ failures.

4 ³ “This *autoimmune process* is thought to smolder for years, and there are individuals at risk of
5 developing *diabetes* who do not yet have the diagnosis.” University of CA, San Francisco –
6 Diabetes Education Online: Autoimmunity – At: [https://dte.ucsf.edu/types-](https://dte.ucsf.edu/types-ofdiabetes/type1/understanding-type-1-diabetes/autoimmunity/)
7 [ofdiabetes/type1/understanding-type-1-diabetes/autoimmunity/](https://dte.ucsf.edu/types-ofdiabetes/type1/understanding-type-1-diabetes/autoimmunity/)

8 ⁴ The American Thyroid Association states that: “*Autoimmune* thyroiditis occurs when thyroid cells
9 are damaged by the immune system. Many different organs and tissues can be affected by
10 *autoimmune disease*, including the endocrine glands, nerves, muscles, skin, blood cells, and the
11 digestive system.” At: [https://www.thyroid.org/patientthyroid-information/what-are-thyroid-](https://www.thyroid.org/patientthyroid-information/what-are-thyroid-problems/q-and-a-autoimmune-thyroiditis/)
12 [problems/q-and-a-autoimmune-thyroiditis/](https://www.thyroid.org/patientthyroid-information/what-are-thyroid-problems/q-and-a-autoimmune-thyroiditis/)

13 ⁵ “Allergic reactions begin in your *immune system*.”
14 <https://www.hopkinsmedicine.org/health/conditions-and-diseases/allergies-and-the-immune-system>

15 ⁶ “Millions of people in the United States have one or more autoimmune *digestive disorders*, which
16 are conditions that occur when the body's immune system wrongly attacks part of the
17 gastrointestinal tract.” See: *Autoimmune Diseases* - Everyday Health By Jennifer Acosta
18 Scott Medically Reviewed by Pat F. Bass III, MD, MPH December 2, 2009 -
19 <https://www.everydayhealth.com/autoimmune-disorders/autoimmune-digestive-disorders.aspx>

20 ⁷ “There is a definite connection between many autoimmune diseases and cancer,” says Anthony
21 Perre, MD, Internist and Chief of the Division of Outpatient Medicine for Cancer Treatment
22 Centers of America® (CTCA). *Autoimmune Disease and Cancer* – At:
23 <https://www.cancercenter.com/risk-factors/autoimmune-diseases>

24 ⁸ “Rheumatoid arthritis (RA) is a chronic, autoimmune, systemic, inflammatory disorder that affects
25 synovial joints, both small and large joints, in a symmetric pattern. This disorder usually does not
26 directly cause death but significantly reduces the quality of life and life expectancy [].”

27 *Pathogenic Role of Immune Cells in Rheumatoid Arthritis: Implications in Clinical Treatment and*
28 *Biomarker Development* Cells. 2018 Oct; 7(10): 161. Published online 2018 Oct

9. doi: [10.3390/cells7100161](https://doi.org/10.3390/cells7100161) - PMID: [30304822](https://pubmed.ncbi.nlm.nih.gov/30304822/)

10 ⁹ “These autoimmune skin diseases can show in a variety of ways. Symptoms can include:
11 rashes, blisters, lesions, fatigue, (and) scaly patches.” - **Autoimmune Skin Diseases:**
12 University of Utah – Health [https://healthcare.utah.edu/dermatology/services/autoimmune-skin-](https://healthcare.utah.edu/dermatology/services/autoimmune-skin-diseases/)
13 [diseases/](https://healthcare.utah.edu/dermatology/services/autoimmune-skin-diseases/)

14 ¹⁰ “Previously, we did not know how common autoimmune encephalitis was, as no prior studies
15 evaluated this,” Dr. Flanagan says.” **When the Body Attacks the Brain: Immune System Often**
16 **to blame for Encephalitis** - Mayo Clinic – February 12th, 2018 - By Susan Barber Lindquist -

17 ¹¹ “Our study sheds light on a new pathogenesis of interstitial nephritis and kidney failure,” says
18 researcher Nils Landegren from the Department of Medicine at Karolinska Institutet in Solna. “Our
19 findings suggest that mechanisms similar to those that cause diseases like type 1 diabetes and
20 thyroiditis, in which the immune system targets a specialized type of cell, can also cause interstitial
21 nephritis.” Karolinska Institutet. **Autoimmune Attack Underlying Kidney Failure** -
22 ScienceDaily, 16 March 2016. <https://www.sciencedaily.com/releases/2016/03/160316194409.htm>

23 ¹² “Autoimmune liver diseases occur when the body’s immune system attacks the live, causing
24 inflammation. If left

25 untreated, the liver inflammation may eventually cause cirrhosis of the liver, which may lead to
26 liver cancer and liver failure.” - **Autoimmune Liver Disease** – Beth Israel Lahey Health, Beth
27 Israel Deaconess Medical Center. [https://www.bidmc.org/conditions-and-treatments/kidney-liver-](https://www.bidmc.org/conditions-and-treatments/kidney-liver-and-urinary/autoimmune-liver-disease)
28 [and-urinary/autoimmune-liver-disease](https://www.bidmc.org/conditions-and-treatments/kidney-liver-and-urinary/autoimmune-liver-disease)

1 **99.74% Vaccine-Exposed**

2 7. Over 99% of the American population has been exposed to this class of product, which is
3 specifically engineered to permanently alter the immune system. No tissue of the victim is
4 “immune” to this programmed-attack against their own bodies, which is triggered by direct
5 injection. This mechanism works like a delayed incendiary device, such that the damage can take
6 many weeks, months, or years, before the victim knows there’s a serious problem.

7 8. And Pharma’s only “alibi”, i.e., pharma’s only possible defense, is that the damage was not
8 immediately diagnosable, or “I was in Hawaii when the building was burned to the ground.” And
9 for some strange reason, so-called “scientists” continue pleading the 5th when called to explain *what*
10 is destroying the immune systems of *most* Americans at this time. Pharma’s financial influence
11 controls the “health” industry, *many* politicians, the mainstream media, and evidently, *even our*
12 *judicial branch*, in order to maintain, and continually increase, this astonishing level of corruption
13 and human suffering, which is required to protect and advance pharma profits.

14 9. Thank God for the true “controls”, of which, there are still approximately 830K still living in
15 America. By eliminating of the suspected cause, the *actual cause* has been proven far beyond any
16 reasonable doubt.

17 **CRIMINAL ACTS**

18 10. Practicing medicine without a license is no less a crime because a government official or
19 entity does so “equally” upon millions of “patients” whom they’ve never met. By signing any
20 vaccine-related “law” or executive “order”, its signatory prescribes *non*-OTC injectable ***drugs***, and
21 is therefore unlawfully practicing medicine without a license. Far from being a “Constitutionally
22 authorized” activity, it is a CRIME.

23 11. In most States, it is *also* a criminal act to aid and abet others in the practice of medicine
24 without a license, even if the accomplices (advisors) themselves do have a license. When injury or
25 death occurs as a result of these criminal acts, far more severe penalties accrue, and this provides a
26 private right of civil action for damages.

27

28

1 **12.** The criminal laws requiring a license to practice medicine do not make exceptions for
2 “government” officials or entities, nor for judges. Judicial decrees which purport to grant
3 government a license to practice medicine in an attempt to shield them from suffering criminal
4 penalties for such acts, represent nothing more than a conspiracy to aid and abet these *criminal acts*.

5 **DEPRIVATION OF RIGHTS UNDER COLOR OF LAW**

6 **13.** Deprivation of rights under color of law, as a means of coercing the public’s compliance
7 with the government’s criminally-prescribed drug injections, does not fall within the scope of
8 “official judicial duties”. When deaths result from such deprivations, the penalties can be equivalent
9 to the injuries caused by such violations, (death) while also providing for a private right of action. ¹³

10 **14.** No matter how much any court may argue that it does, the Constitution does *not* “authorize”
11 government to *first* strip Americans of their fundamental rights, and thereafter only “allow” for our
12 free exercise thereof, once we’ve produced evidence of injection with the unavoidably-unsafe drugs
13 which government has criminally “prescribed” for us.

14 ***The Cover-up is Evidence of the Defendant’s Mens Rea***

15 **15.** The Executive Branch’s own agencies are busying burying the maimed and dead bodies via
16 their fully-corrupt VAERS system, which intentionally hides over 99% of the injuries and deaths
17 that are actually occurring shortly after injection. ¹⁴

18 **16.** One of the most recent little “tricks” used to cover up the evidence of injury and death, is the
19 standing order from the CDC, requiring that recently-vaccinated people who show up at hospitals

20
21 _____
22 ¹³ SEE: TITLE 18, U.S.C., SECTION 242

23 Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any
24 person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any
25 rights, privileges, or immunities secured or protected by the Constitution or laws of the United
26 States,....shall be fined under this title or imprisoned not more than one year, or both, and if bodily
27 injury results from the acts committed in violation of this section [] shall be fined under this title, or
28 imprisoned for any term of years or for life, or both, or may be sentenced to death. Also see: CA
Penal Code 422.6. Also see: 42 U.S.C. 1983.

26 ¹⁴ “Adverse events from vaccines are **common** but underreported, with **less than one percent**
27 reported to the Food and Drug Administration (FDA).” See: **Electronic Support for Public Health**
28 – **Vaccine Adverse Event Reporting System (ESP: VAERS)** at:
<https://digital.ahrq.gov/ahrq-funded-projects/electronic-support-public-health-vaccine-adverse-event-reporting-system>

1 with deadly vaccine-injuries, are to be ***falsely classified as “unvaccinated”***.¹⁵ This CDC directive
2 is equivalent to this Executive agency supplying the hospitals with bags of lime, shovels, and maps
3 to the nearest National Forests or other remote dumping grounds, *in combination with* direct orders
4 to HIDE these dead bodies. Refusal to examine the evidence is their *only* support for the fraudulent
5 slogans “no evidence” or the side-effects are “rare”. Actively hiding the evidence is only evidence
6 *of mens rea*.

7 **17.** When engaged in criminal acts, particularly when said criminal acts include depriving
8 citizens of their rights (and even their lives) ‘under color of law’, public officials lose immunity.
9 There are no government “official duties” which include *overtly* criminal acts resulting in mass
10 physical injuries and deaths. And there is no requirement that the Plaintiff prove the actors new their
11 criminal acts would result in injury or death.

12 **18.** Our courts are in no way authorized to grant in government, or *anyone else* for that matter, *a*
13 *license to practice medicine*. There is simply no legitimate mechanism by which these criminal acts
14 can be transformed into “authorized” acts. No matter how desperately our courts attempt to abet this
15 criminal activity, their own corrupt motives in attempting to legitimize it, is no longer hidden.

16 ***Praying for a CIVIL Remedy***

17 **19.** It is unlikely the American people may be counted upon to quietly accept their own physical
18 destruction, now deployed by the federal government at “warp speed”, *merely* because the courts
19 refuse to act in accordance with our Nation’s laws. Further judicial attempts to legitimize the
20 President’s catastrophic vaccine programs will only more fully expose the fact our courts are now

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22 ¹⁵ “According to the U.S. Centers for Disease Control and Prevention, you’re not counted as fully
23 vaccinated until a full 14 days have passed since your second injection in the case of Pfizer or
24 Moderna, or 14 days after your first dose of Janssen, despite the fact that over 80% of deaths after
25 the vaccines occur in this window. Anyone who dies within the first 14 days post-injection is
26 counted as an unvaccinated death. Not only does this inaccurately inflate the unvaccinated death
27 toll, but it also hides the real dangers of the COVID shots, as the vast majority of deaths from these
28 shots occur within the first two weeks” - **Shockingly, CDC Now Lists Vaccinated Deaths
as Unvaccinated** – First Published September 15th, 2021 by Dr. Mercola before censored –
Republished and still available HERE: [https://flybynews.wordpress.com/2021/09/15/shockingly-
cdc-now-lists-vaccinated-deaths-as-unvaccinated/](https://flybynews.wordpress.com/2021/09/15/shockingly-cdc-now-lists-vaccinated-deaths-as-unvaccinated/)

1 committed to continuing to conspire with the federal government in a direct effort to bring about the
2 physical destruction of the American people, and with them, the fall of our Republic.

3 **20.** In continuing to insist that the judicial branch may grant government a license to practice
4 coerced medicine upon the American people - as a precondition to the enjoyment of our rights – the
5 courts will only destroy their own legitimacy and relevance. Perhaps a destabilizing civil war is the
6 actual goal of those whose agenda our courts now appear to be serving? We shall soon see.

7 **21.** At the moment, the American people are still seeking, and most desperately praying for, a
8 civil remedy to prevent their own extermination at the hands of the U.S. Government, who acts in
9 collusion with numerous State governments to injure and/or kill Americans on entirely false
10 pretense of a “compelling interest” in “public health”. It is for such purpose the Plaintiffs in this
11 case demand an impartial judge be appointed to oversee this case. Nobody with a conscience
12 prefers the alternative to a civil remedy. Plaintiffs pray they may find such civil remedy in our
13 courts, in order to prevent the collapse of their Nation, as well as to prevent, for themselves and
14 their loved-ones, profound personal injuries and/or death.

15 **CORRUPTION IS EVIDENT**

16 **22.** Even a cursory glance at the face of this complaint made it infinitely obvious to Shubb that
17 his personal financial conflicts absolutely required his immediate recusal. It could not possibly have
18 been more obvious to Shubb. But then, Shubb also knew what was just around the corner for this
19 stock values with the covid hysteria and the “warp speed” roll-out.

20 **23.** Shubb proceeded to take actions in this case which expose the fact his personal interests
21 absolutely affected his orders. Shubb even denied the existence of the Plaintiffs’ allegations and
22 incontrovertible evidence showing that the President’s vaccine programs, if not abated, will collapse
23 this Nation in less than a decade from now, via the physical destruction of its people, with
24 mathematical certainty.

25 **24.** Shubb’s financial interests clearly stand to lose value with the forward progress of this case.
26 Likewise, if Shubb continues abusing his position of the bench to defend and protect the President’s
27 agenda for the physical destruction of the American people, he is likely to reap substantial financial
28

1 rewards. But what would the extra money be worth in a world where America is no more? Maybe
2 Shubb intends to sell at ‘just the right moment’ and buy gold? But what would any amount of gold
3 be worth in a world without any right to private property? The rights Shubb would deny all
4 Americans, (and has denied them for 11 months now) he and everyone he loves would lose as well.
5 And Shubb does all of this, just so he can grab more money before he retires into the hellish
6 nightmare that *he helped create*.

7 **25.** Do our Judges foolishly trust that these same criminals, whose agenda they now serve, will
8 later let them dine at *their* tables after they’ve managed *to collapse this Republic*? Do they believe
9 they can continue creating this hell-on-earth without fear they, and their own loved ones, will be
10 personally affected? Delusion much? The servants of such vile criminal conspiracies are never
11 ultimately rewarded as their masters had promised. There is no “honor” amongst any of these
12 demons.

13 **CAPACITY TO SERVE**

14 **26.** Judge Shubb’s legally-deficient justification for dismissing this case, obviates a lack of both
15 ethical and mental capacity. This lack of capacity is clearly evidenced by Shubb’s pitiable attempt
16 to reframe the complaint, claiming the Plaintiffs had *only* complained about vaccine “mandates”,
17 and that they’d been silent as to the fact these destructive vaccine programs, *originating from the*
18 *Executive Branch* and it’s subordinate agencies, are responsible for over 90% of the deadly and
19 disabling diseases suffered by Americans today.

20 **27.** The evidence that Shubb’s claim is brazenly false, (the actual complaint and evidence
21 packages) has been published online *for all to see*, for the past 11 months now. By reframing the
22 complaint, (lying about its actual contents) Shubb was attempting to get around the fact that the
23 Executive Branch is *wholly* responsible for the damage caused by the vaccine programs, against
24 which the Plaintiffs had very directly, and *most vehemently*, complained.

25 **28.** And now the President himself has directly ordered nationwide vaccine “mandates” in
26 violation of all state criminal laws which prohibit him from prescribing *any* non-OTC drugs *to*
27 *anyone* without a license to practice medicine. The President’s advisors did not sign these executive
28

1 orders, which are in fact a mandated prescription for drugs. The President's advisors did however,
2 conspire in aiding and abetting the President to practice medicine without a license.

3 **29.** The Plaintiffs' "standing" to sue the Executive Branch was profoundly obvious at the time
4 the complaint was filed, and is even more glaringly obvious at present.

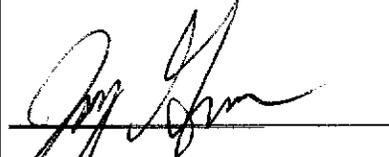
5 **RECUSAL AND TO VACATE SHUBB'S ORDERS**

6 **30.** Due to the fact Judge Shubb had blatantly obvious personal financial reasons for having
7 dismissed our complaint, and due to the fact the evidence shows Shubb also engaged in unethical
8 acts in order to justify said dismissal, I demand that all orders entered in this case by Judge Shubb
9 be vacated and that he be prohibited from taking any further action in this case, either directly, or
10 indirectly, including any communications with anyone who may be affected by, or who is
11 associated with this case, or to make any other attempts to affect the outcome of this case.

12 **31.** I demand that a truly impartial judge, i.e., a judge with no conflicts of interest, either direct,
13 or indirect, immediately be made available to hear this most urgent case which has now been
14 delayed by 11 months as a direct result of Shubb's personal interests in its outcome.

15 //

16 I declare under threat of penalty of perjury under the laws of the United States of America that the
17 foregoing is true and correct, and that this declaration was executed on the date set forth below in
18 Roseville, California.

19
20 

21 Joy Garner

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Date