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David W. Slayton,
Executive Officer/Clerk of Court,
By A. Ilieva, Deputy Clerk

8 Attorneys for Plaintiff Jose DeCastro

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, SANTA MONICA COURTHOUSE**

11 JOSE DECASTRO,

12 Plaintiff,

13 V.

14 KATHERINE PETER; DANIEL
15 CLEMENT; MICHAEL PIERATTINI;
16 DAVID OMO JR.; and DOES 1 TO 30,
17 inclusive,

18 Defendants.

Case No.: 23SMCV00538

Assigned for all Purposes to
Hon. H. Jay Ford III, Department O

**DECLARATION OF PLAINTIFF JOSE
DECASTRO IN SUPPORT OF PLAINTIFF
JOSE DECASTRO'S RESPONSE TO
DEFENDANT MICHAEL PIERATTINI'S
NEW EVIDENCE IN SUPPORT OF REPLY
MOTION FOR SUMMARY JUDGMENT OR,
IN THE ALTERNATIVE, SUMMARY
ADJUDICATION**

Dept: O

Declaration of JOSE DECASTRO

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2 1. I, Jose DeCastro, am the Plaintiff in this matter. I make this declaration in support of my
3 opposition to Defendant Michael Pierattini’s (“Defendant” or “Pierattini”) new evidence in
4 support of his reply in Support Motion for Summary Judgment or, in the Alternative, Summary
5 Adjudication. Except where explicitly stated otherwise, I have personal knowledge of all facts
6 contained in this declaration and, if called as a witness, I could and would competently testify to
7 all said facts.

8 2. As an initial matter, these new records do not relate to the claims in this case. Instead, they
9 were introduced late by Pierattini in order to create a public record trying to paint me in a negative
10 light. However, he continues to lie about himself and made statements about me that aren’t
11 supported by these documents.

12 3. Responding to the documents attached as Exhibit A to Pierattini’s July 30, 2024
13 declaration and that appear to be the same as Exhibit 2 to Pierattini’s July 30, 2024 Request for
14 Judicial Notice (the “RJN”) , the records appear to relate to a case arising from a prank I
15 participated in when I was 18 years old with fraternity brothers in college. Several of us went into
16 a clothing store, left some of our belongings in the changing rooms, and walked out of the store
17 wearing ten or more pairs of pants. It was a stupid prank that I regret, but I made amends and
18 even attended a court mandated theft class. As the records reflect, I was not sent to jail in
19 connection with the “theft.”

20 4. Exhibit 1 to the RJN appears to be the Court Docket for a case where I was alleged to have
21 stalked my girlfriend by coming to visit her from out of state after not hearing from her for weeks.
22 Being eighteen years old and not knowledgeable or able to defend myself well against what at the
23 time was a brand new law in Oregon, I unfortunately pled out the claim for diversion. I did not go
24 to prison or serve jail time.

25 5. RJN Exhibit 3 appears to be a record for a criminal case in Oregon from 1995 (when I was
26 19 years old) when I was arrested for having a false ID (which I had to get into bars) and charged
27 with a misdemeanor charge of giving false information to a police officer. As demonstrated in the
28 record, I was not sent to jail in connection with this case either.

1 6. I don't understand what RJN Exhibit 4 is referring to. It appears that it might be a
2 duplicate or error of the issue in RJN Exhibit 3, as it is another false information charge. This
3 record shows there was no conviction. Additionally, page 3 of the document shows that payment
4 for the record presented by Pierattini was made by co-Defendant Katherine Peter.

5 7. RJN Exhibits 5, 6, and 9 are records from a civil harassment case brought in 2004 by a
6 former girlfriend (Kacey Bytheway, aka KTLA weatherperson Kacey Montoya) who made
7 outlandish and outrageous false claims about me to get a restraining order. I never hit or choked
8 her or her "new" boyfriend- if I had there would have been criminal charges. I couldn't have
9 gotten away with any of the conduct if it actually happened. It didn't happen. There was no
10 supporting evidence, no police reports, no hospital records, nothing. I didn't even know there was
11 a further hearing in 2007.

12 8. RJN Exhibit 7 appears to be a civil restraining order case against me brought in 2004 by
13 Eric Montoya that wasn't prosecuted by beyond the *ex parte* TRO and in which the records do not
14 indicate I made any appearance. To the extent that it's relevant (it's not) I deny harassing Mr.
15 Montoya.

16 9. RJN Exhibit 8 also appears to be a civil restraining order case brought in 2007 by Michael
17 Hanson that wasn't prosecuted beyond the *ex parte* TRO and in which the records do not indicate I
18 made any appearance. To the extent that it's relevant (it's not) I deny harassing Mr. Hanson.

19 10. RJN Exhibit 10 appears to be a record of a 2015 application for a civil restraining
20 order against me by Francis Koenig, which the record indicates the restraining order was denied
21 after I presented evidence at a hearing. Obviously, I still deny harassing Mr. Koenig.

22 11. RJN Exhibit 11 appears to be a court record of a small claims case in which
23 "CHILLE DECASTRO DBA CODED FRIENDS" was one of several defendants. I don't
24 understand its relevance to this case, except to create confusion and wrongly try to tie me to
25 spurious and irrelevant allegations of bad conduct.

26 12. RJN Exhibit 12 appears to be a record of a 2021 application for a civil restraining
27 order against me by Dina Chavez, which the record indicates was dismissed without any order for
28 lack of prosecution.

1 13. Responding to Exhibit 13 to the RJN, the August 31, 2022 letter refers to a
2 campaign by organized multiple persons to have the state of Ohio prosecute me for unlawful
3 practice of law in connection with a “power of attorney” document. The letter is not addressed to
4 Pierattini, but his unexplained possession of it to provide to the Court evidences that he was acting
5 in concert with the persons waging this campaign of harassment against me.

6 14. RJN Exhibit 14 appears to be a record of a 2022 application for a civil restraining
7 order against me by co-defendant Daniel Clement, which the record indicates the restraining order
8 was dismissed for lack of prosecution in November 2022.

9 15. RJN Exhibit 15 appears to be the baseless *ex parte* Washington State restraining
10 order restraining order that defendant Pierattini obtained against me in 2023.

11 16. RJN Exhibit 16 appears to be a redacted record of my arrest in 2023 in Nevada for
12 filming a police officer. I note that rather than indicate any truth to allegations made by Pierattini
13 in 2022, in July 2024 I won my appeal overturning my conviction on the obstruction charges
14 arising from filming a police officer in Nevada Case C-24-381730-A, *Jose Decastro, Appellant(s)*
15 *vs State of Nevada, Respondent(s)*.

16 17. RJN Exhibit 17 appears to be a printout of a 2024 misdemeanor case pending in the
17 State of Maryland for a Jose DeCastro with a birthdate in 1964. I was born in 1974.

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1 18. Responding to the supplemental declaration of Defendant’s attorney R. Paul
2 Katrinak concerning my incarceration in Nevada from March to July of 2024: I was unable to
3 access my computers or to email while incarcerated. Instead, I had phone access I could use for a
4 limited amount of time each day to call people running my YouTube Channel or to hire counsel;
5 The majority of videos published to the “DeleteLawz” YouTube Channel by my Legal Literature
6 company called Ethics SCS LLC while I was incarcerated did not include new content from me;
7 any new content from me was comprised of recordings of my phone calls. Those videos published
8 during my incarceration were posted by agents of Ethics SCS LLC, not me personally.

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10 I declare under penalty of perjury of the State of California that the above is true and correct to the
11 best of my belief and understanding.

12 Date: August 13, 2024

13 By: Jose M. DeCastro
 Jose DeCastro

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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 *DeCastro v. Peter, et al.*, Los Angeles County Superior Court Case No 23SMCV00538

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 years and not a party to the within action; my business address is 8383 Wilshire Blvd., Suite 800,
6 Beverly Hills, CA 90211.

7 On August 13, 2024, I served the following document(s) on the interested parties in this action:
8 **DECLARATION OF PLAINTIFF JOSE DECASTRO IN SUPPORT OF PLAINTIFF**
9 **JOSE DECASTRO’S RESPONSE TO DEFENDANT MICHAEL PIERATTINI’S NEW**
10 **EVIDENCE IN SUPPORT OF REPLY MOTION FOR SUMMARY JUDGMENT OR, IN**
11 **THE ALTERNATIVE, SUMMARY ADJUDICATION**

12 by placing true copies thereof enclosed in sealed envelopes addressed as follows:

13 R. Paul Katrinak, State Bar No. 164057
14 LAW OFFICES OF R. PAUL KATRINAK
15 9663 Santa Monica Blvd., 458
16 Beverly Hills, California 90210
17 Telephone: (310) 990-4348
18 Facsimile: (310) 921-5398

19 *Attorneys for Defendant*
20 Michael Pierattini

21 (BY E-MAIL) Pursuant to CCP § 1010.6, based on the named party’s electronic filing in
22 this case being deemed assent to electronic service under the local rules, I sent such document to
23 the individual(s) identified at the email address referenced above.

24 (STATE) I declare under penalty of perjury under the laws of the State of California that
25 the foregoing is true and correct

26 Executed on August 13, 2024, at Los Angles, California.

27 
28 Steven T. Gebelin