

EXAMPLES OF MULTIPLE REQUESTS FOR MEETING TO RESOLVE FTB ISSUES

TAXPAYER EXHIBIT

B5

September 27, 2016

Richard R. Betchley and Kellie S. Brunk

874758

Following this page are just a few examples of my documented requests to meet to resolve this issue and set the record straight. These were all AFTER the FTB testified in sworn testimony that they DID NOT want the facts, documentation, or any explanation.

The following are just ⁹ attempts to get Ms. Stanislaus to look into this and ask someone to meet with me.

They are presented in chronological order.

These are in addition to more than 20 other requests submitted to FTB General Counsel Way, the Disclosure Office (Ahrens), auditors (Wines, Matsueda, etc.), and even then-Chairman John Chiang (whose counsel wrote that he had no authority in the Franchise Tax Board), and the tax advocates at the FTB and the BoE. All of those attempts are documented and can be supplied...but you get the idea.

Once Ms. Stanislaus started directing this case personally, no one would do anything to help. A significant, if not civil, violation of my rights. Two BoE attorneys called it a "cover-up" because they broke all the rules and now had to destroy us.

STATE BOARD OF EQUALIZATION



Appeal Name: Richard Betchley & Kellie S. Brunk K

Case # _____ ITEM #. B5

Date: _____ 9.8

IP

FTB

DEPT

PUBLIC COMMENT

Ms. Selvi Stanislaus
Executive Officer, Franchise Tax Board
PO Box 115
Rancho Cordova, California 95741

URGENT MATTER
SENT BY CERTIFIED RETURN

January 9, 2012

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Selvi Stanislaus
Exec Officer FTB

PS Form 3800, August 2006 See Reverse for Instructions

Dear Ms. Stanislaus,

I am writing to you because I don't know what else to do. I need your help in correcting a major injustice that threatens to further ruin my life. **In May of 2009, I was arrested at gunpoint over \$274.39 that the Franchise Tax Board says I owed.** My tax records were seized, and have yet to be returned in spite of more than 20 written requests to the FTB and the El Dorado County District Attorney's office. To be fair, I was also arrested based on a claim from the Department of Corporations that some representations I made about a company were untrue. In the meantime, however, we have been also able to show that each and every one of the statements I made were, in fact, true and substantiated by third parties. But I am writing to seek help in correcting the damages caused by the FTB and it's lead investigator, Tom Samlik, in this case. Samlik gave what my attorney calls "perjured testimony" at my preliminary hearing on 12/30-12/31/09. His testimony (a portion of which is enclosed), on transcript pages 211-214, states that he personally reviewed my records. When I was arrested, the FTB seized my tax records (they are itemized on the evidence receipt) and has refused to return them since, in spite of numerous requests sent to Ms. Wines (among others) by return, receipt mail (I have copies of them all, if you would like them, along with the signed receipts and the responses). Ultimately, the FTB wrote to

me to get my tax files from the El Dorado County District Attorney. **They have, likewise, refused more than 10 written requests to provide them.**

Unable to get my tax records from the FTB, or the DA's office, I went to the IRS and HR Block, who do keep their records. Using those, and bank, county, and DMV records, we were able to file amended returns. The FTB had these records all along, but Samlik testified there were none and that I owed all this money. **BUT, then the FTB sent me a confirming letter (enclosed) stating that my full tax burden, for the four years charged in criminal charges by the FTB (and all previous years) was \$274.29, including penalties!** Along with that letter is a copy of a printout from the FTB's internal reporting system, produced by the Santa Ana FTB office for me, that shows zero owed for any previous years. I paid the \$274.39, even though an audit by the IRS, and returns prepared by HR Block say nothing was due.

FTB Investigator Samlik, however, tried to defend the tax evasion charges further by claiming that loans I received were not loans. He couldn't explain why they weren't loans, under oath, but the IRS audited those loans, as did Block, and found them to be loans, and thus not income. Nonetheless, the total amount of loans, **even if deemed income**, was less than the FTB/ IRS allowable deductions for the years in question...so nothing further could be due. This was explained to the DA, after Investigator Samlik's sworn testimony, but DA's exist to prosecute, not seek justice and fair outcomes. **So, based in large part on Samlik's inaccurate testimony, I was bound over for trial.** As if that wasn't enough, Samlik then went on to state that I was personally responsible for paying the **\$800 per year minimum corporations tax** for PostShieldUSA for the 5 years in question...**another criminal charge.** I am a director (one of four) and a consultant to, PostShieldUSA, but not an employee or shareholder, though my

wife and step-daughter do own shares. Even if Samlik is correct that I am the sole person responsible for the \$800/ year, that amount would be less than **Small Claims Court amounts, surely not a felony.**

The legal system doesn't have a way to address things like this other than trial. **In the almost three years since this arrest, incarceration, 15 months on an ankle monitor, daily reports to a probation officer, and bail from my parents retirement fund, I have had two strokes, gone through every cent I have, a bankruptcy, and have the responsibility to support my challenged step-daughter (down syndrome).**

With all of that said, **I need your help** immediately, to correct this serious breach of the truth and justice. With no funds, or other resources, to continue the fight in court, I was forced to enter a "West, no contest Plea." The court regards that as "guilty", though I'm sure you can see that I am not. This proof was given by your own staff, to offset perjury by your own investigator. **PLEASE HELP ME.**

I am scheduled to be sentenced by a judge, different from the preliminary hearing judge, who hasn't seen all this proof, as we don't have the resources to press on. We've given it all to the DA, but he won't make it public, for obvious reasons. You might find it interesting that, in the "take it or leave it" plea I was forced to accept, **the DA specifically demanded that I reimburse the FTB, over the next three years, for \$50,000! For what? Owing \$274.39, which was paid immediately?**

So, please help me. If you could write to Judge Daniel Proud, Department 2, Superior Court of El Dorado County (case #P09CRF0229) and clear this up by having your office rechecking my tax records, and notifying the court that I do NOT owe any taxes, it would help me. The DA wants me

Mr. Jerome E Hutton
 Chairman Board of Equalization, Board member FTB
 450 N Street MIC 72
 Sacramento, California 95814

Ms. Ana Matosantos
 Director of Finance
 State Capital 1145
 Sacramento, California 95814

Mr. Chris Beach
 Administrative Services Chief, Franchise Tax
 PO Box 115
 Rancho Cordova, California 95741-0115

Mr. Tom McPherson
 Criminal Investigation Bureau
 PO Box 115
 Rancho Cordova, California 9574-0115

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
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2. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.		B. Received by (Printed Name) C. Date of Delivery	
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Copies also being sent to the following individuals:

- Governor Jerry Brown
- Ms. Kamela Harris, State Attorney General
- Mr. Michael Cardoza, Esq.
- Mr. John A. Kitta, Esq. attorney and Director PostShieldUSA
- Mr. AJ Stock Director PostShieldUA

Ms. Selvi Stanislaus
Executive Director Franchise Tax Board
P.O. Box 115
Rancho Cordova, California 95741

Sent by Certified, Return Receipt US Mail

January 2, 2013

Dear Ms. Stanislaus;

I am writing to clarify a point in an agreement I signed in a plea agreement in El Dorado Superior Court, case #P09CRF0229. Although the District Attorney's Office acknowledged, in a court transcript, that I was prosecuted for Felony Tax Evasion in the amount of \$276 (the actual, amount your agency confirmed in writing was \$274.39), I was pressured to sign an agreement to repay the FTB \$50,000 as part of my probation plea. The agreement states it is due by the end of the probation and is for "investigative costs"...for \$274.39???

Steve Sims, FTB state tax advocate, told me "don't worry about that", but I do not have that in writing (it was in a recorded phone call, so probably not admissible). What I do have is the written FTB reports that I filed all taxes, owed \$274.39, and paid it immediately.

My probation officer was trying to clear up a point with the court regarding the payment due date to the FTB, but received no response to her letter to your agency. She confirmed that the end of probation is the customary due date. We are concerned that this District Attorney will go ahead on his own and tell the court I am not in compliance, even though the Probation Depart confirms I am. Apparently he can do this even without Probation concurrence.

I am ahead on payments under the court ordered fee payment schedule for their court costs, but none of us have anything other than the plea agreement, which stipulates 3 years to pay the FTB. I'm hopeful that your investigations will be enough to waive any "investigative cost" payments to the FTB, but we have no further information.

I have received notice, however, that the FTB investigator that testified against me has been disciplined. I have been corresponding with FTB Chairman, and State Controller, John Chiang, to get this resolved. I, further understand the EDC Sheriff and the FBI may be considering perjury charges against FTB Investigator Tomas Samlik for his under oath false testimony against me. You may be aware that Mr. Chiang requested another investigation into my case by FTB Supervising Special Agent Kevin Jennings. I'm told I cannot have a copy of that without a court order or subpoena (which I can't afford), but I was informed that it cleared me of any felony. Can you help get that for me? I don't believe you want to hide these reports from me, but I have been stone-walled by your subordinates in my requests for these reports which exonerate me.

Thank you for your personal attention.

Richard Betchley

PS: I welcome an opportunity to review all of this with you or your designate. With 3 weeks' notice I can arrange to get an inexpensive flight to Sacramento, or I can meet in Orange County.

CC:

Probation Department, El Dorado County
US Attorney, Sacramento
FBI White Collar Crime/ Public Officials Investigations
Mr. John Chiang, Chairman Franchise Tax Board

Mr. John Chiang
Chairman, Franchise Tax Board
300 Capitol Mall, Suite 1850
Sacramento, California 95814

Sent by Certified, Return Receipt US Mail

January 22, 2013

Dear Mr. Chiang;

First, let me thank you for, through your legal liaison to the FTB, whom we met with personally in Los Angeles, for requesting the internal investigation of my case through the criminal unit. That agent, Supervising Special Agent Kevin Jennings produced a report that, like Agent Steve Sims before him, exonerated me of any felony. I am sorry to bother you again, but this is a matter of utmost importance. I have tried to meet with officials from the FTB to clear my name and to seek some sort of recovery for the damages that, even the El Dorado County DA admitted, were the result of the FTB claiming that I owed \$274.39.

I am writing to ask that the FTB-demanded \$50,000 in recovery for "investigative costs" be waived, as Agent Sims assured me it would. If you have a moment to review this case, you will find the FTB never wanted to know the facts, and admitted such under oath. The investigator was disciplined, yet continues to harass me. I would also ask that you, or one of your high ranking deputies meet with me to see what we can do to remedy this horrible situation brought about by the FTB Agent Samlik's involvement with the El Dorado County Deputy District Attorney. You may be aware that nationally renowned defense attorney, and former prosecutor, Robert Blasier (OJ Simpson, Phil Spector, The UnaBomber, etc.) has written numerous times about the criminal justice system in El Dorado County...including stating it is a, and I quote, "cesspool of corruption."

During the process to defend myself, I suffered two strokes, our lives were threatened, we were forced to move, and we lost everything. FTB Agent Sims had requested we itemize the hard dollar damages and send it to him. We did that, but he was quickly silenced and the government two-step started. I very much doubt that the Board of the

Franchise Tax Board condones conduct like Agent Samlik's (I received written confirmation he was modestly disciplined) and I doubt the agency wants to be party to ethical behavior such as has been clearly demonstrated here.

I am asking that we be able to meet, with or without attorneys, to resolve this amiably and on the record, with full releases. I am the sole support of a challenged, down-syndrome girl and press releases such as that issued by the FTB only do irreparable damage to an entire family...all for less than \$300.00, which was paid immediately. I have made numerous requests, in writing, to resolve this and clear my name. If it's worth anything, the Deputy DA in question did tis on three other matters, directly accusing me of things he knew to be untrue (and that records withheld by him now prove, as well). As I have stated repeatedly, all that I say and claim is independently verifiable, much of that proof coming from the Franchise Tax Board, itself.

Please help us, Mr. Chiang. Attached to this letter are just 12 of the easily verifiable reasons why the \$50,000 "investigative cost" fee should be waived; why some sort of recovery is warranted, and why an apology is in order. As an example of how "unique" the El Dorado County DA's office is; it demanded \$50,000 be paid to the FTB, as one consideration for no further prosecution, and yet gave almost \$10,000 of other funds extracted from me and my family to a vocal political backer, NOT EVEN IN THE CASE! This is public record, if you go get it...we did.

Thank you for your consideration, Mr. Chiang. I know you have a lot of responsibilities, but I doubt you think California residents should be prosecuted without concern to even meet with the citizen prior to arrest at gun point (as your investigator admitted under oath).

I hope you can contact me soon. My numbers are on the enclosed list.

Sincerely;

Richard Betchley

Cc's follow this page.

To keep individuals, agencies, and departments interested in this case apprised of my attempts to fix this, copies are being sent to only those who have asked for them, or have a responsibility or interest in the outcome.

Ms. Selvi Stanislaus, Executive Officer, Franchise Tax Board
Mr. Jerome E. Hutton, Chairman Board of Equalization and board member FTB
Ms. Ana Matosantos, Board Member FTB
Governor Jerry Brown
Sheriff John D'Agostini, El Dorado County
FBI Public Official's Corruption Unit
US Attorney
California Attorney General Kamela Harris
USA Today
Los Angeles Times
San Francisco Chronicle
Sacramento Bee
Orange County Register
Center for Investigative Reporting
MOD Group, Public Relations

Ms. Selvi Stanislaus
Executive Director
Franchisae Tax Board
PO Box 1673
Sacramento, California 95812-1673

May 20, 2013

SENT MY CERTIFIED US MAIL

Dear Ms. Stanislaus;

I'm sorry to have to write to you again, but one of your agents told me you are personally involved in my situation, for which I'm very grateful. Before I begin, I would like to say that so many of your employees have been so helpful to me. They have been professional, kind, and understood exactly what happened. Having already suffered two strokes as a result of this, the support of your staff has been that much more appreciated.

I received a very nice call from one of your investigators, who confirmed the actions taken regarding FTB Senior Investigator Tomas Samlik. I was also told to expect my returns for the four years in question to be questioned, again...even though they have been audited by FTB staff previously, as well as by the IRS and HR Block. The "heads up" from your agent was appreciated, though I have nothing to hide. As you may have figured out by now, the El Dorado Deputy DA that prosecuted me for the \$274.39 the FTB said was due, has continued to hide materials, in spite of subpoenas and a direct court order. You may also be aware that there are investigations into possible criminal conduct by him in this case, as well as a Bar Association investigation. No doubt he will try to blame the FTB, as he knew what my tax status was and even FTB agents, including Supervisor Karen Lees, told us that the DA's office still retains files and records, in direct contempt of a court order. Perhaps he kept them from your investigator, too.

The packet attached is my response to the "proposed assessment". Your staff told me to expect it, and why...it may be Investigator Samlik's last way to avoid prosecution. That said, I wanted you to have this, as it summarizes much of the issue...all documented and in the possession of Deputy DA James Clinchard and, I'm sure, your agent Samlik.

Your staff asked me to compile an accounting of the financial damages (not to mention the strokes, the nightmares, the loss of reputation, and the loss of employment income), which I submitted, as requested. I would like to take the high road and settle this amiably, and out of the public eye, even though the FBI issued a press release crediting this same deputy DA for the prosecution of me. Two investigations by your investigative staff have exonerated me of any felony. I have three requests, that I hope you will honor, and that will allow my issues with the Franchise Tax Board to end.

1. In light of all the documented facts now available; please waive the assessment demanded by the deputy DA that I pay the Franchise Tax Board \$50,000 for their investigative costs...to determine I owed \$274.39, which was paid immediately; and confirm there is no further tax due. The IRS audited every document you have and even gave me credit for overpayment in two years...your investigation produced facts that I overpaid in only one year to you.
2. Produce all the emails between EDC Deputy DA James Clinchard and Tomas Samlik of the FTB. One DA donor did send a few damning emails, and Samlik was frequently copied...as well as donors demanding a change of the judge, and Clinchard complying...a fact that my local representative, Donald Wagner (who is also Vice Chair of the State Judiciary Committee, and son-in-law to the judge who was

changed) confirmed was a felony. These emails have been subpoenaed and requested by Court Order, but the DA refuses to comply. Further, he lied to the court saying I was in violation of probation. Thank God the probation department told the court (and me in writing) that Clinchard did this and that it was a complete misrepresentation.

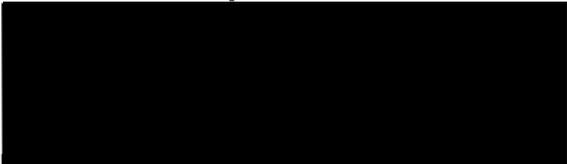
3. Ask an authorized representative to sit down with me, review any materials you may wish to see (much of it has been provided by your agents and staff showing that I committed no felony, cleared everything with the FTB, and complied with all tax law, paying every cent that was due...even when disputed), and resolve the damages and move on. I would like your help, not a further delay. If I have another stroke...By the way, your agent's inaccurate (perjury?) is a matter of public record. I think you have a copy of his testimony, or I can bring it to any meeting.

Please review this packet in detail. I think you will see what everyone else does. You might be interested to know that the El Dorado County DA now has a second, supplemental salary with the county. He is also the county's Chief Technology Officer; at more than an additional \$94/ hour! No other county in the US has such an arrangement. The EDC Grand Jury tried to get involved to clear me, but was blocked by the DA's office. Criminal reports have been filed at the suggestion of the Sheriff's deputies and Mr. Wagner. The FBI is now involved, as is the US Attorney. The county General Counsel even suggested the only way to get this out was to file a suit. I have been interviewing high profile attorneys willing to take this on contingency, given the documentation that exists (and that has been withheld).

I would like to have my issues with the FTB resolved before all this is made public...both attorneys see this as image building and very lucrative. I just want it to end and am willing to work with you to make that happen, before things get out and a suit is filed against the county, the Board of Supervisors, and (probably) Tomas Samlik. Can you do the right thing and help me? I don't want to be adversaries, though I know I'll be audited for the rest of my life. I am 64 years old and am the sole support of a challenged (down syndrome) step-daughter. I want to be here to care for her as long as I can. I would appreciate a response before June 15...as that is when the first press release from the attorney (and his interview) is currently scheduled to go out. I know you have so much more important things to do, but please right this wrong.

Thank you,

Rick Betchley



Cc:
 Honorable John Chiang, Chairman FTB
 Honorable Donald Wagner, California
 FBI; Public Corruption Unit, Squad Th
 CalTax

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PS Form 3800, August 2006		See Reverse for Instructions

To: The Addressees below;

August 20, 2014

What I am about to tell you (and prove beyond any doubt, if an authorized person will even agree to meet and review the enclosed material, and more) will not make you comfortable. I doubt any of you want to be associated with what happened here, or the subsequent efforts to mislead, hide, threaten, imprison and harass me and my family.

With the suggestions, help, and guidance of many at the Franchise Tax Board, federal, state, and county law enforcement, and, especially, the kindness, compassion, and intelligence of one attorney, a liaison to the Board of Directors of the Franchise Tax Board, I have prepared the following submission for your consideration.

Previously, I have submitted several requests for a hearing to review this, and more, material. My goal has been to clear my name and correct a grave injustice. As the years, and damages to me, have mounted, more and more proof of my innocence has been obtained. All this proof was in the hands of FTB agent Tomas Samlik from the start; but he buried it, and does so to this day. I will explain, briefly, here and hope you will find it in your hearts to really look at the facts, and help me.

I will present my position in summary fashion, but there is much, much more. I am aware that this should be a brief communication, but I have way too much (most provided by concerned FTB employees) to make this as short as we'd all prefer. In my attempt, I will summarize:

1. What happened, and why.
2. A brief summary of the FTB's role and actions.
3. What my immediate requests are.
4. What the FTB is doing to us currently

Please bear with me, as this process has resulted in Death Threats to my family and me, police protection, the loss of everything, a forced move to protect my disabled daughter, and continued harassment.

What happened, and why.

I used to live in El Dorado County, in the dream home that we built for our family. After moving there, we were invited to numerous political fundraising parties. That's when we heard first hand from one particular elected official about just what we could expect, personally, for relatively small campaign donations. We never contributed, but someone we knew well, who often bragged about "owning" the District Attorney did...in a large way. At the request of neighbors, including this political donation heavy-weight, I sponsored a real

estate development project. It sank in the early stages of the recession, along with thousands of other projects across the country. I had raised \$400,000 for the project and then spent more than \$450,000...as confirmed by the DA's own investigators, and in the court record. The large donor was one of the partners. Another DA supporter with an even bigger ego was as well. They claimed I had embezzled the money, and that that was what resulted in the project's failure, and asked the DA to arrest me. That would have been easy to refute, as the DA's own investigators did, but then they went to Tomas Samlik at the FTB. Samlik agreed to arrest me on tax evasion and admitted, under oath, that he never even thought about meeting with me to get my records or hear my story. He lead a group of body armor-wearing, assault gun toting officers that stormed our rented home and put guns to my head screaming that he would see that I died in prison.

I fought the case for over three years, losing everything, until I had no more to give and my health had been irreparably damaged. I was forced to a "no contest" plea just to end it. Okay, what about the FTB?

THE FTB'S ROLE AND ACTIONS

It might be simpler here to present this in bullet-point fashion (no pun intended), as each action can be proved with independent, third party verified proof.

1. Samlik testified he personally reviewed all my tax filings and that I owed over \$90,000 and hadn't filed taxes in 18 years.
2. The FTB not only produced records subsequently that showed all my taxes had been filed, they had refunded over-payments to me in previous years (I'm sure they don't so that to someone who doesn't file), but that I owed \$41.00 in principal, plus penalties and interest that brought the total amount to \$274.39. The FTB has since provided internal reports and a letter confirming all this.
3. Samlik withheld my tax records from us when subpoenaed (a felony) and then it was discovered that he testified using documents that the FTB had seized here, but only copied the TOP page when giving us the evidence they were using against me.
4. Though I offered to meet with investigators before they arrested me (admitted in the court record) Samlik stated he had reviewed everything and felt no need to talk to me.
5. The IRS audited me for the same years that the FTB charged me with 4 felonies, and found, like the FTB records showed, I had OVER-PAID, and they issued refunds to me...for these same years.
6. Samlik wrote to the EDC DA asking for help publicizing my arrest, my case, and the outcome, before my arrest and without wanting to know the facts or see the

supporting documentation. We have his letter. After the settlement, the FTB issued another press release containing numerous errors about the settlement, the case, etc....but it did give credit to a certain El Dorado County DA, who was assigned to get the FTB \$50,000 above the money he gave to political backers not in the case.

7. To this day, the FTB retains many of my tax records and hasn't complied with a court order to return them. The FTB claims the DA has them, the DA says the FTB has them. Someone has them, because they were taken from here. Several EDC attorneys say that either the FTB or the DA shredded them long ago. All I know is I have a court order for their return, they haven't been returned and I have an affidavit from a witness who had seen them...so they do exist, without relying on my word.
8. After I was drained of all ability to fight on (no money, 2 strokes, a down-syndrome daughter to support) I entered into a plea agreement to end it all, but it hasn't. In the plea agreement several things were required. Most interesting was that restitution money was to be paid (court records show that almost \$10,000 of the money we paid went to the donor mentioned above...AND HE WAS NOT EVEN IN THE CASE! The plea also called for \$50,000 to be paid to the FTB for "investigative costs". If the money is not paid by the end of my agreed-upon probation, which is coming up shortly, I must serve 10 years and 4 months in prison...at 65 years old now, that will fulfill FTB agent Samlik's promise to me that he would be sure I died in prison.

Corruption in EDC, especially related to this DA is now a matter of public knowledge and at least one federal investigation (which I am cooperating with) is under way. But that doesn't help me. My probation officer has already confirmed, in writing, that the DA has tried to mislead the court about a probation violation. Of course that never occurred (which would send me to prison for this \$274.39.) Fortunately, probation set the court straight.

Another point of interest:

9. AFTER his testimony, Samlik assigned two staff members to try to audit me. Two investigations were conducted, and the results kept from me, though both FTB officers conducting the investigations confirmed directly to us that FTB policies were not followed, all appeal rights had not been exhausted, AND that the FTB would be sure I never saw UNEDITED, UNREDACTED reports about what they found. To this day those reports, in that form, are not available to me, not have the tax records, especially the home improvement file, been returned. Samlik's testimony confirmed he had the file...but it's gone now. We subpoenaed all the emails between Samlik and the EDC DA's office, knowing there was complicity. Those subpoenas were ignored.

With that as well-documented, provable background, I will move to what I'm asking now.

MY IMMEDIATE REQUEST

The damages to me and my family extend way beyond the hard dollar amounts that the FTB asked me to submit (again no answer to that one). Beyond the health issues, strokes, vision changes, emotional damages, damages to relationships and more; I have the matter of \$50,000 to must be paid to the FTB, or I go to prison. The FTB has damaged any ability to earn that, as has the DA (but I can tell you more on that at a meeting).

With the help, assistance, and recommendation of attorneys from each of the departments that have a Directorship on the Board of the Franchise Tax Board, I'd like to request just 4 things. The first is most important, and most immediate.

1. Since Samlik and the DA required the \$50,000 payment from me to go to the FTB, or I go to prison, it was put into the plea and backed by a court order. Your staff's have suggested a **request that the FTB prepare a Petition to the Court to remove that part of the sentencing.** The DA will fight it, but he has no standing and no money is due there, or to his donors..they got theirs. This requirement relates to "investigative costs", not taxes due. Thus, even a waiver of the payment is not enough for the court. They said they will remove the requirement from the sentencing with a petition from the FTB, the sole benefactor. Given Samlik's proven perjury, the malicious prosecution, the withholding of exculpatory evidence, doesn't this seem fair and right?
2. Second, I have asked for more than 5 years **to meet with an authorized officer of the FTB Board or agency to sit down and review the materials.** I believe that the FTB will want to help me and return some of the financial, at least, damages we have incurred due to lack of following policy, threats to me to die in prison, withholding evidence that is now available (and in Samlik's possession). I do not want to sue, I can't take that. I'm just hoping one of the FTB officials has the ethical strength to look at the things I have and help.
3. The matter of the El Dorado County DA just gains momentum, with more and more politically motivated cases and threats to common citizens. Even the Sheriff there has now admitted he's powerless. The Board of Supervisors tried, and the DA arrested the leading opponent. I would greatly appreciate it **if the FTB could waive confidentiality and give me the emails between Samlik's office and the EDC DA's office that were subpoenaed. If this is too much of a stretch, could the FTB please confirm to me that they will give them to the US Attorney?**
4. And last; I would appreciate **an apology...and a press release.** When someone googles me, all this comes up. Even FTB officials have encouraged me to as this and tried to help. That's why I have things off the internal reports, and emails, that normally wouldn't be given to taxpayers. I'm no felon. Please help clear my name.

Samlik, and the DA, has tried to cover this all up for too long. That's usually what gets people in trouble. Everyone understands a mistake. The real heroes and leaders do all they can to correct them and make things right. I hope the Board of the FTB falls into this category.

FINAL UPDATE/ DISCLOSURE

After all this, all the audits, document review, and all the threats, another FTB agent was assigned to look at my tax records and filings...FIVE YEARS LATER. I'm currently working with Mr. David Matsueda. He's a very professional man, seems fair, but he's confirmed that his review (the fourth now) is being directed by management. I want to comply with all he asks, assuming I can have my records (he says he can't get them from the various FTB departments). I'm not sure what the FTB is trying to get from me. I have nothing. My parents have been drained of most of their retirement savings to help us with legal and living costs (even the DA wrote an email to the donors that he was monitoring my parents accounts and that this took almost all their retirement. They are both 94. Yes, I have that email, too.

I offer this as the latest attack on my records (and the attempt to give Samlik something to hang onto so that he isn't charged with a crime) has no impact on the four requests above. I have been audited by the IRS and others. Another isn't going to come up with anything new, or any way to pay anything created. Check my bank records...the DA does it to this day hoping to put me away and bury another witness to his conduct.

I can be reached ANY TIME.

Thank you for your time and, hopefully, your help.

Rick Betchley

[REDACTED]

Phone: Please [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

Ms. Selvi Stanislaus
Executive Officer, California State Franchise Tax Board
9646 Butterfield Way
Sacramento, California 95827

November 10, 2014

Sent by Certified, Return Receipt US Mail

Dear Ms. Stanislaus,

I am writing at the kind suggestion of several officials at your agency, and two attorneys who are legal liaisons to members of the Franchise Tax Board's Board of Directors. I am writing to ask for your personal assurance about something, and time is of the essence. As you know, I had to plea "West No Contest" to tax evasion in the amount of \$274.39 (as verified in writing by the FTB). More about that later, as I know you might be told something otherwise. In working with the offices of the members of the FTB Board of Directors, a suggestion for handling an immediate problem has been suggested to me. It involves action at your office, rather than the Board level, as (I'm told) "administrative actions need not be publicly disclosed". In the forced plea (after 2 strokes, loss of everything, and no money to fight on), the El Dorado County DA demanded that I pay \$50,000 to the Franchise Tax Board for their "investigative costs." I have been trying to get this waived through your agency, given all the facts that have subsequently come out (see below), but attorneys on staff to the FTB Board of Directors have suggested a more expedient way to accomplish this.

What your board member's legal advisors have suggested is that, because the DA made this a court order (meaning that if I don't pay the FTB, I will be in violation of a probation requirement imposed by the DA, and I will go to prison for 10 years!), they have advised me to petition the court to remove the payment requirement to the FTB in the sentencing memo (again 3 FTB reviews, a written confirmation of all taxes due the FTB having been paid, and a full IRS audit have confirmed no crime was committed) however, since it is a court order the FTB would have no authority to waive. What the FTB Board's legal people have suggested to me is that I file a petition with the court to remove this requirement and obtain a prior written notice that the FTB will support my petition or, at least, not oppose it. The FTB's support/ agreement not to oppose will be attached to the petition, along with the other exhibits. The DA will seek to impose the demand, but the court clerk, the probation department, and the attorneys all think he will look fairly foolish, since his donors have already received more than \$200,000 from my family and are owed nothing more. Any objection by him will, since he has no standing or benefit, confirm his malicious prosecution, again...something that will be of use later by law enforcement and the bar association. So,

I am requesting that you, or your designate, please respond by writing (email or letter) stating that the FTB has no objection to the court granting my motion.

A FEW BACKGROUND FACTS

Though you already are in possession of third party supplied proof that I was innocent of all crimes charged, I will attach copies of the proof in the filing, unless you object. I would like to get this settled. You might recall the following:

1. FTB agent Tomas Samlik arrested me at gun point for tax evasion in an amount of over \$90,000.
2. 7 months later, he testified that he NEVER wanted to know the facts prior to the arrest, had no interest in interviewing me prior to the arrest (even though there is a written record that I offered to meet), that I had not filed taxes in 18 years, and that I owed more than \$90,000 in back taxes.
3. The DA's lead investigator confessed that the FTB copied only cover sheets of my files and financial records to save time! (this, too, is confirmed in writing)
4. The FTB's own officers not only verified, in writing, that the amount due, including penalties and interest, was \$274.39, and that no crime had been committed. What's more, the FTB produced internal records showing that all my taxes had been filed, for all years, forever! Absolute proof that Samlik committed perjury to cover his wrongful violent arrest of me.
5. The IRS conducted a full audit on me, for the same years charged by the FTB, and found errors on my part that produced a REFUND for OVERPAYMENT of taxes in those years.
6. The FTB is now conducting its fourth audit of me (5 years later) and the FTB agent has found that I DID NOT take many additional deductions that I was due...during this same four years where Samlik testified under oath that I owed more taxes.

I have previously explained why an innocent man pleads "no contest" (the loss of everything, 2 strokes, the need to be home as a parent to a challenged daughter with Down Syndrome), but I can go over all this again with you, if you'd like. Likewise, I can provide additional copies of the FTB's written verification of all this, though I've sent it several times before. One other point to show how far they have gone to put me away and quiet me (beyond documented death threats to my family) : The DA's office objected to the first judge in my case because, as the DA wrote in an email, he had a lot of experience in financial cases and the DA was concerned about this as, he confessed to defense counsel, that he "couldn't win the case on the facts." 45 minutes after sending out that email to his donors, one of the leading supporters wrote back to the DA's office..."change the judge." They did 2 weeks later. That, my elected representative (the son-in-law of the judge removed!)

told me is a felony, committed by the donor and the DA. I have supplied that email exchange to the US Attorney and you can have another copy, if you'd like.

Ms. Stanislaus, we even have copies of FTB Agent Tomas Samlik's letter to the El Dorado County DA asking for help with publicity about my arrest, asking for case updates and needs, and even the FTB press release giving credit to the DA for his prosecution of me. I am not asking you to waive any taxes due. There are none. Unfortunately, as the DA wrote in an email to his donors entitled "Good News", he managed to use essentially all our family's resources for legal costs, bail, and to pay money to his donors...including one not even in the case. This is all in court records and I have additional copies to send you, if you'd like.

So, to summarize, I am merely asking that the FTB, by administrative action, not public Board of Director's action, agree to support my petition to the court to remove the \$50,000 investigative costs payment to the FTB. Attorneys at the FTB have also suggested that even a written statement from your office saying that you "do not oppose the petition/ motion, would also serve to correct the record. The DA has been vocal in local social fundraisers that he will be sure that if the requirement/ payment is not fulfilled, he will put me in prison for 10 years and 4 months.

Time is of the essence. There is currently a US Attorney's office investigation into this DA, being run out of the Eastern District Office in Sacramento. While that may benefit me later, I don't want it to be while I'm in prison for not having the \$50,000 by the end of February. I lost my house, cars, filed bankruptcy, and now rent out of the county (at the suggestion of the probation department...even they know what goes on there). If you could please confirm that the FTB will support, or at least not dispute or oppose, my petition, I will try to find an attorney to prepare it and file it on my behalf. If you could respond to me by the end of November 2014, it would be greatly appreciated. Of course, I will send an advance copy of the petition to you. With your support, I will try to get the petition hearing on the court calendar for December.

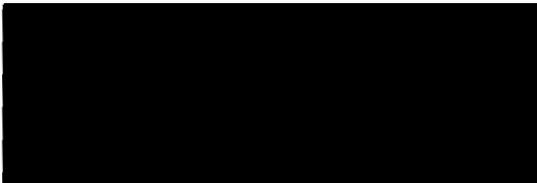
Ms. Stanislaus, I have attempted to get everything to you that you might need to see that severe breaches in protocol, policies, and conduct have occurred. I have consistently tried to take the high road. I am grateful to many at the FTB, and at the FTB's Board staff, for all the guidance, advice, and support. Please help me now.

Once I know that I will be able to be with my family, and not be worrying about what this DA might do as another favor to his political backers (and to put me away), we can deal with any issues this 4th FTB review (5 years later) may bring up. Thank you for your consideration of this pressing matter. I know you have much bigger issues, and real tax offenders, to deal with. I'm praying you can just help me now. If you would like to see

additional copies of anything I have submitted to your office in support of my position, please just ask, as I have no higher priority that resolving this. Thank you.

Respectfully submitted,

Richard Betchley



Cc:

- Honorable John Chiang Chairman, Board of Directors, Franchise Tax Board
- Honorable Jerome Horton, Director, Franchise Tax Board
- Honorable Michal Cohen, Director, Franchise Tax Board

7013 3020 0002 3857 1097

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PS Form 3800, August 2006		
See Reverse for Instructions		

WHY WOULD AN INNOCENT MAN PLEAD "NO CONTEST"

In my case, there was really no choice, for so many reasons. After the District Attorney's men, with guns at my head, stated that they would be sure I died in prison, the following reasons gave me no choice but to end things and get back to my family.

1. DA investigators tied their own political supporter to death threats against my wife and step-daughter;
2. The DA even gave settlement money paid by my family, to end this, to that same donor, even though he was not even part of the case;
3. I have to be home to support and help my challenged, disabled step-daughter (she has down syndrome);
4. This particular DA is known for being "for hire" if it will help with his political ambitions (proof is all over the internet and in public records);
5. When the DA ignores motions to compel, subpoenas, and even court orders, all the time draining every resource you have to go on fighting;
6. When the battle causes two strokes, and the costs associated with those;
7. When the Deputy DA writes to his donors that, even when a judge throws our charges, he will add them back, "just because I can";
8. When your parents are 93 years old and you want every minute with them possible;
9. When even the lead investigator apologizes to you for what he has HAD to do;
10. When even the tax investigator commits proven perjury, will get suspended, and criminal charges initiated;
11. When public records confirm the Deputy DA suborned perjury and withheld exculpatory information, all the while claiming that the defense should take it to trial (at an additional cost of over \$300,000), because he "gets paid the same no matter what";
12. When you can end it all and get back to your family;
13. When even the probation department, and the foreman of the grand jury, confirm that the DA will, and has, misled the court;
14. When even the County Sheriff's Deputies confirm DA corruption and suggest criminal charges be filed, but not until I am out of the county;
15. When you've lost everything, but the love of your friends and family, and you fear for their lives every day...then you have to do what you can to recover.

Those are but a few of the considerations for retreating and living to fight another day...which I continue to do, as more and more proof of county misconduct (corruption) comes out monthly in court records, documents, local media outlets, and even two subsequent investigations by the criminal, and civil, crime units of the Franchise Tax Board that now prove complete innocence and documents that exonerate me. But the EDC DA refuses to admit a "mistake"; he needs the donor money to move on...even though county supervisors were intimidated into granting him a second, supplemental job as County Chief Technology Officer at more than \$94/ hour!...without interviewing anyone else!

So, I would do it all again, even everything they accused me of, because no crimes were committed, as even the DA's own investigators testified under oath...and as witness documentation provided to the DA, by people with first-hand knowledge, was withheld from the court.

That's why.



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TO STANISLAWS

Petition Act

*TO ASK TO ALLOW
FTB TO*

*DECIDE TO
WAIVE \$0,000*

STANISLAWS

Expected Delivery Day: **Wednesday, August 27, 2014**

Product & Tracking Information

Available Actions

Postal Product:
Priority Mail 2-Day™

Features:
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*OF JACKIE APPLEBY,
JEROME HORTON'S OFFICER*

August 27, 2014, 2:09 pm Delivered **SACRAMENTO, CA 95827**

August 27, 2014, 8:12 am Notice Left (No Authorized Recipient Available) **SACRAMENTO, CA 95827**

August 27, 2014, 7:28 am Out for Delivery **SACRAMENTO, CA 95827**

August 27, 2014, 7:18 am Sorting Complete **SACRAMENTO, CA 95827**

August 27, 2014, 5:44 am Arrived at Unit **SACRAMENTO, CA 95827**

August 27, 2014, 12:43 am Departed USPS Facility **WEST SACRAMENTO, CA 95799**

August 26, 2014, 11:38 pm Arrived at USPS Facility **WEST SACRAMENTO, CA 95799**

August 26, 2014, 1:33 am Departed USPS Facility **ANAHEIM, CA 92899**

August 25, 2014, 6:57 pm Arrived at USPS Facility **ANAHEIM, CA 92899**

August 25, 2014, 5:01 pm Departed Post Office **DANA POINT, CA 92629**

August 25, 2014, 2:30 pm Acceptance **DANA POINT, CA 92629**

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Date: **08/25/2014**

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Ms. Selvi Stanislaus
Chief Executive Officer, Franchise Tax Board
P.O. Box 115
Rancho Cordova, California 95741-0115

Sent by US Certified, Return Receipt Mail
tracking # 7013 3020 0002 3889 5704

April 20, 2015

Dear Ms. Stanislaus;

I am writing, yet again, in my 10th certified letter to you to ask for your personal assistance. Though you have not responded to any of the prior submissions of fact, documentation, and proof of unethical, illegal, and breach of FTB policy actions by one of your agents, other officials at the FTB, the State Judicial Committee, and the State Board of Equalization have suggested I send in yet another letter to you. This one is prompted by yet more damage, unknown until recently, inflicted by Mr. Tomas Samlik's actions.

Previously, I have sent you proof, much of it provided by your own staff, of his use of unwarranted force (for an arrest of allegedly unpaid taxes of \$274.39!), perjury under oath in court testimony (that proof was provided by your own internal reports and letters), his written requests to others to help publicize my arrest for the amount above (written on FTB letterhead), and much more. But there is a new reason (and another to follow under separate cover) for pointing out the damage he continues to cause.

Just recently, when we explored a financial transaction, we learned that the FTB (Samilk) had filed 6 state tax liens, in 3 counties, against me. All six were filed not only before any and all appeals could be exhausted, but they were filed shortly after the FTB confirmed that the total amount of taxes I owed (even giving me credit for overpayment in applicable years) was under \$300.00. Of course, the lien amounts were for far more money .. more than \$100,000...for which the FTB provided me its own internal reports, supplemented by a letter on FTB letterhead, that the amount due was \$274.39, including penalties and interest (the principal amount was \$41.00). The timing is a little suspicious, to say the least. Also, 4 of the liens show as paid/ satisfied. Where did that come from? As I write this, my credit rating suffers by more than 100 points due to the inaccurate FTB liens....further causing damage to the lives of me and my family.

Ms. Stanislaus, I am in possession of several documents given to me by FTB employees showing that you have been involved in my case ever since the California State Tax Advocate, your employee, wrote that FTB policies had not been followed and he was bringing it to your personal attention.

In this letter, I am simply asking that you have staff immediately clear the tax liens (delete, not just show they are satisfied, as that still destroys credit ratings) Samlik initiated as part of his illegal, unethical, and non-policy attack on me. Each week that this goes on, more and more damage comes to light. I have asked on 9 previous occasions (also return receipt, certified) for a meeting to clear all this. I have been trying to take the high road. I have Samlik's perjury testimony in official form; the FTB-provided documents that prove that perjury; Samlik's letter asking for media help to publicize what he had done; the FTB internal reports and even a handwritten confirmation from one of the FTB office managers (as well as a full IRS audit exonerating me); and so much more. All independently verifiable. At a meeting at the State Board of Equalization, some of these documents were reviewed. Everyone sees what Samlik did, and why they think the FTB management has tried to bury it. I know this is embarrassing but, the thing is: you are the CEO to provide leadership. You know what the right thing to do here is...and you've known all along. But leaders aren't satisfied just knowing what to do, they have to DO it. Your staff has now assigned its fourth agent to review my filings. Every single one of them has told me that they have been told "find something, anything!" You staff has confirmed that they withheld exculpatory documents, did not answer subpoenas, and even just copied the top of certain files, in an effort to save time. I doubt that this conduct is sanctioned by you, as the Chief Executive Officer.

So, to the list of the other corrective requests I've submitted, with full documentation and proof of illegal, unethical, and malicious conduct by Mr. Samlik, I'd like your office to move to clear my credit report of any tax liens. I even paid the \$274.39 your office claimed I owed in taxes within 5 days of notification, even though the H and R Block accountants disputed anything being owed.

Thank you.

PS Under separate cover, I am sending you a copy of the documents documented by your own staff...a

Cc: Honorable Betty T. Yee
Honorable Michael Cohen

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Total Postage & Fees	\$ 6.49	04/20/2015

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 City, State, ZIP+4 _____

PS Form 3800, August 2006 See Reverse for Instructions

TO THOSE COPIED ON THE LETTER (s) TO SELVI STANISLAUS:

April 20, 2015

This has been, and continues to be, a very long frustrating ordeal. Once the system lines up against you, the facts don't matter, unless you have hundreds of thousands of dollars to fight it. Corruption in El Dorado County is well-documented, but that's not why I'm making these two appeals. The case with the El Dorado County District Attorney's office now has several law enforcement agencies on it.

I'm appealing for a little old fashion fairness, and leadership. People at the FTB, the county Sheriff's office, the US Attorney, the FBI, and even EDC's Board of Supervisors and Grand Jury have all been supportive and offered good advice. But what I'm asking here is to get a high level meeting, to make this right. As can be readily seen (in the documents offered, the timeline, and the emails, etc.) FTB's Samlik, a decorated employee, simply committed perjury and now has to cover it up. He's, somehow, enlisted support from management. What I can offer are HIS writing, FTB internal reports, IRS audits, and more. I tried to bring Ms. Stanislaus into this early on, but got shined on. Even though this almost killed me, and my daughter and wife's lives were threatened (for which we got sheriff's protection), I'm not a quitter. I had a successful life, in business and with national championships to my credit way back in college. I did work with the US Government, senators, and even played tennis regularly at the White House. I'm no flake.

I'm hoping someone has the courage to really look at what goes on at the FTB, especially in this case. Steve Sims, the previous tax advocate, asked me to document the damages to me...which I did. They continue to build. Doesn't someone have the ethics and leadership to actually look at all the documents, end the cover-up and just return what this cost me, my family, and my reputation?

Thank you for your consideration.



Rick Betchley

Ps The usual response from EDC and the FTB is to attack me. A clear review of facts can refute ANY derogatory statements they may make. Thank you.

DAMAGES SUFFERED

I was advised that you might require a partial listing/ accounting of the damages this case has caused to me and my family. As the victim here of malicious prosecution and unethical conduct by law enforcement officials, I will only include those amounts backed up by verified documentation. Of course this cannot include the extensive psychological, nerve, reputational, or other difficult to measure damages that result. What are nightmares, loss of hair, fear for one's safety, etc. measurable by? So the list below contains ONLY the measurable, documented damages of a financial nature.

1. Legal Fees paid	\$100,000.
2. Travel costs to meetings and hearings	\$ 6,248.
3. Restitution ordered	\$250,000.
4. Loss of Social Security income (5 months at \$2,950)	\$ 14,750.
5. Hospital costs....case induced stroke	\$ 46,000.
6. Court fees	\$ 1,240.
7. FedEx mailings for document submission	\$ 450.
8. H&R Block review of taxes for FTB/ IRS audits	\$ 2,000.
9. Loss of consultancy income under contract	\$336,000.
10. Family investment income loss (documented due to excessive bail imposed by DA and borrowing costs)	\$336,996.
	<hr/>
TOTAL FINANCIAL COSTas of 9/18/12	\$ 1,141,684.00

Ms. Selvi Stanislaus
Chief Executive Officer, Franchise Tax Board
P.O. Box 115
Rancho Cordova, California 95741-0115

SENT BY CERTIFIED, RETURN RECEIPT US MAIL
Tracking # 7013 3020 0002 3889 5711

April 20, 2015

Re: Investigative Cost Fee

Dear Ms. Stanislaus:

As you no doubt know by now, your agent Tomas Samlik (the one who put a gun at my head and promised he would see me die in prison when he arrested me for taxes due in the amount of \$274.39) demanded that I pay the FTB \$50,000 for "investigative costs" in their prosecution of me. If I did not pay that, I was told, I would be put in prison for 10 years and 4 months. I signed the plea deal (I'm enclosing another copy of the reasons an innocent man would plea no contest, in my case), hoping that you would act in the intervening years to correct a major injustice. That did not happen, so my family was forced to pay that amount. The El Dorado Superior Court noted the payment, apologized to me for what happened, and told me I should appeal to you for reimbursement of that amount.

Let me first say, I lost everything defending myself from Samlik's, and others', attacks...all of which we can now refute with documentation what was withheld...as even Samlik's supervisor (Karen Less) admitted. In order to avoid the threatened 10 years, four months in prison, my father had to use his retirement account. Since this happened, my mother has passed away and I need to be there for my father. I'm asking you to let me know the process to appeal the payment of the demanded "investigative costs fee" and to request that money be returned to my father, not me. Here is a brief summary of why I feel that "fee" should be returned to him. Every statement in this appeal is documented and independently verifiable proof can be obtained/ is available. In fact, much of it was provided by FTB staff who hope the agency does the right thing here. So, here's why I hope you will return my father's retirement money (he's 95):

1. The FTB wrote me a letter, and produced internal reports, stating that my total tax owed was \$274.39, for 4 years.
2. The IRS audited me, for the same four years, and issued checks to me for overpayment of taxes.

3. FTB Agent Samlik committed perjury (as proved by the FTB's own documents) and has, still to this day, tried to cover-up his felony.
4. Steve Sims, the State Tax Advocate, wrote that Samlik never followed procedures, withheld material facts, and even brought this to your attention.
5. Your Disclosure Office even told me to come to their offices to pick-up documentation previously withheld. When I got there, Tanya Ahrens told me management had changed their minds and I would not be allowed to have my own documentation.
6. Karen Lees, Samlik's supervisor, told me and a witness that El Dorado County was withholding more documentation than even the FTB had.
7. An El Dorado County investigator told the court that the FTB had copied only the COVERS of files and documents in order to save time after they arrested me, thus withholding my defense records.
8. There is now another FTB "auditor" reviewing my filings for these years (2005-2008) and, like the three before him, he has confirmed he's been told to "find something, anything!" He has found something...a lot of deductions I was entitled to, but didn't take, as they were not needed; among them allowable deductions for the care of my daughter, who has down syndrome.
9. The Santa Ana FTB manager provided a written statement that I had committed no crime and her staff even provided me the FTB internal reports that proved I had always filed all my taxes (refuting Samlik's sworn statement) and RECONFIRMING that my total tax obligation was \$274.39... for which I was arrested a gun point.
10. Officials at the State Board of Equalization, in a meeting with me, stated they couldn't understand any of this happening, even when they reviewed the documentation. They said that even if I did owe the \$90,000 that Samlik claimed under oath, an arrest would not be warranted, and the amount wouldn't be in the top 500 of individual tax payer owed taxes.
11. Samlik even wrote to others asking for help to publicize my arrest, the forced plea, and issued a press release thanking a Deputy District Attorney (who is now under investigation for corruption by the US Attorney). In fact, my arrest (omitting the amount of less than \$300) press release by the FTB is still viewable on your website!
12. Samlik filed tax liens, right as the FTB was confirming the \$274.39 due (and paid immediately) in 3 counties against me. There's more, but I'll stop the list here.

Ms. Stanislaus, we had a court hearing about the payment of the \$50,000. Samlik, and the corrupt Deputy DA, had made the payment a court order and condition of satisfying probation. My father did that to save my life. The court apologized, said it had no choice, but advised me to contact you to ask for the money to be returned to my father. I have a very detailed timeline of all these events, with the supporting letters, transcripts, documents,

etc. I would hope you would grant my request to return the money to him; or tell me how I go about submitting the proper paperwork for that to be considered. I have had two strokes over this, lost everything, and just want to clear my name.

I'm hoping you are willing to devote the energy to rectifying this terrible conduct by Samlik. In case anyone is concerned about the statute of limitations for his perjury, withholding exculpatory information, and threats to be sure I would die in prison; with the help of a few sheriff's deputies, I filed a criminal report well within the allotted timeframe, even sending you a copy. Given all the written reports about the corruption in El Dorado County, it was suggested I wait until the probation ended to begin to bring this all out into the public.

Can you please help me? I will cooperate with whomever you designate for a speedy resolution. There are many issues and damages to address. I'm really praying for a "Madame Secretary" moment of leadership here. It doesn't seem right to charge a guy \$50,000 to investigate him, using withholding evidence, threats, and perjury when the FTB has confirmed that the amount owed was less than \$300.00.

Respectfully submitted;

Rick Betchley [REDACTED] [REDACTED]

PS: at my request, the fourth FTB auditor, David Matsueda, recently sent me a disk with some of my materials on it. I wrote back to him, as there are more than 18,000 pages on it. My letter to him is enclosed. I have heard nothing since.

Cc:

FTB Board of Directors:

Honorable Betty T. Yee
Honorable Michael Cohen
Honorable Jerome Horton

Center for Investigative Reporting
Sacramento Bee Investigative Reporting Unit

Subject: Fw: Meeting, Please

From: Rick Betchley ([REDACTED])

To: [REDACTED]

Cc: [REDACTED]

Date: Wednesday, June 8, 2016 10:06 AM

Good morning.

I am sorry to try to reach you again, but I really need someone to not be afraid of their pensions and just try to do what's right.

I have been delayed for 7 years now and told that first this person and then another is the one to work with.

I had an appeal date set with the BoE, but the FTB has delayed it almost a year. Today I was told it's back at the FTB, but I have no one to contact, or work with.

I understand why people are afraid of this...it's cost me two strokes.

Please look at the information below. Attorneys at the BOE have seen these documents and suggested an "administrative resolution" be requested.

I've sent more than 10 requests to meet with the FTB (to your office and you directly, Ms. Stanislaus)...with no response.

I have a special needs child (down syndrome) and I want o be there for her. I need to get this resolved to move on. Can anyone help me?

Even this morning, FTB and BOE staff have told me the other department is in charge. I get it... but can't we have a "Madame Secretary" moment and just do the right thing.

All the proof is independently verifiable, independently obtained, and available.

Please help us.

Rick Betchley

— Forwarded Message —

From: Rick Betchley ([REDACTED])

To: "Maples, Susan" ([REDACTED])

Sent: Wednesday, June 8, 2016 9:44 AM

Subject: Re: Meeting, Please

Thank you for your response. I have waited to address your points until I had the counsel of several FTB and Board of Equalization staff and attorneys.

You are right, my claims were addressed by Steve Sims and he wrote that he took the procedural vioaltions of my rights directly to Ms. Stanislaus (I have his emails for your review).

As of this past week, I have been informed by the BoE that I should recontact you, as the FTB requested that they review my situation, AGAIN.

I had a date for my presentation to the BoE's Board, but the FTB delayed it for a year.

I have requested a "pre-Hearing settlement conference", at the BoE's suggestion. That is being set up, pending the situation with you. They again reiterated that I should contact you today. This came from Natalie Capehart (I think I got the name right).

Here are some facts which you may want to consider and work with me on (I have all of this documented by FTB and court people...not from me; so I can provide copies of all of it)

1. A letter from the FTB stating that my total tax liability was \$274.39...for the four years they arrested me for.
2. The INTERNAL FTB accounting/ reporting system reports verifying the above and showing actual CREDITS for overpayment t of taxes during a couple of the years they charged me with tax evasion.
3. Sworn, on the record, testimony from the FTB that they NEVER wanted to see my tax records before arresting me.
4. An FTB letter written BEFORE they arrested me asking for help the publicize my arrest and case (the

news article was on the newsstands BEFORE my arrest!)

5. Court records that the FTB took my tax records and only supplied copies of the cover sheets (not the entire records (for me to use in defending myself)

6. ABSOLUTE evidence, in court records and official transcripts, that FTB agent Tomas Samlik committed perjury saying I never filed taxes for 18 years. FTB staff provided the internal records at the FTB showing his testimony to be perjury.

I'm not even sure where this stands now. The last I heard, this morning, was to contact you and bring you into this.

You might like to see all this first hand.

Ms. Maples, please let me know exactly what you need to see.

If you know of a date for my conference to settle (which I've been asking for for more than 4 years), please let me know.

If there is someone else I should meet with at FTB, please let me know.

Samlik told me he would be sure I died in prison! He almost made that happen. Even the district attorney's investigator will testify at a hearing about eh FTB's conduct. He just needs a subpoena...like the FTB people, to protect his pension.

I am also confused about what to do. You say it's in the hands of the Board of Equalization. They say it's back at the FTB and I should work with you.

Please don't refer me to some government publication or regulation. Please just tell me what to do...or who will meet and work with me.

I'm afraid to have another stroke (I have two documented already over this).

Sims asked me to document the damages this had caused and he was taking it to Ms. Stanislaus. I did that. His WRITTEN response was that he was shocked at all the FTB violations of procedure and my rights.

I know you will agree, if you just look at the records...all provided by the FTB and official transcripts.

Thank you.

Rick Betchley

From: "Maples, Susan@FTB [REDACTED]"
To: 'Rick Betchley [REDACTED]'
Sent: Monday, May 23, 2016 2:17 PM
Subject: RE: Meeting, Please

Mr. Betchley,

Thank you for your email. As I mentioned to you before in a previous email, due to resource and other constraints, I cannot meet with taxpayers. The Advocate role as defined by California Revenue and Taxation Code §21004 is to coordinate a resolution of taxpayer complaints and problems. Your complaints were addressed by Steve Sims. He reviewed the materials you submitted, as well as other letters and emails that you sent to other FTB employees. He even insisted that the Criminal Investigations Section get their procedures manual published to our external website to promote transparency. So, I don't know that it is accurate to say that your complaints have been swept under the rug. Unfortunately, however, that is the extent of the authority of Advocate position, and I do not have any authority to make any changes to audit findings, tax or court outcomes.

In regards to your tax issues before the BOE, it appears that you have been given due process. You were given a protest at which you were provided the opportunity to present evidence that FTB's assessments were erroneous. Again, the Advocate doesn't have the authority to overturn an audit decision. Your next step is the Board of Equalization (BOE), which now has your case on appeal. You therefore have another opportunity to present evidence to show that FTB's assessments were in error. You also can have ex-parte communications with the Board Members to discuss your case. I do not know why BOE

staff would direct you to me, when the appeal is still being heard by the BOE, although I have not seen the documents you reference below. Therefore, if you have new evidence or documents of FTB wrongdoing, that you had not previously submitted to Steve, please feel free to forward them to me, but again please understand that I do not have the authority to overturn an audit finding or court outcome.

Best Regards,

Susan Maples, CPA
Taxpayers' Rights Advocate
916-845-6724 desk [REDACTED]

From: Rick Betchley [REDACTED]
Sent: Friday, May 20, 2016 [REDACTED]
To: Maples, Susan@FTB
Subject: Meeting, Please

Good morning.

I spoke to your chief of staff the week before last and he assured me he would bring my plight to your attention. I thought I was going to get a call back, but that may have been my mistake. I do realize how politically sensitive my case is. Ms. Maples, I have had two strokes as a result of the FTB's handling of my issues. Previously, Steve Sims wrote to me on several occasions about the FTB failing to follow policies and procedures with me. Now those failures are well-documented and part of a directed pattern, as two FTB auditors told me. There are too many points to list here, so I'd like to ask for a meeting at your southern California offices. I was asked to contact you personally by attorneys at the Board of Equalization who have reviewed the materials I have. My issue is not an accounting one, rather a major breach of protocol, ethics, and even the law. I have absolute proof of this, most all provided by FTB staff who are tired of seeing what goes on. I even have FTB internal reports I think you will be appalled by what I show you, and I'm counting on your professionalism and integrity, which I'm told hold you in high regard by many others. My matter, at least in the opinion of several FTB staff and attorneys at the Board of Equalization, should have been handled "administratively" long ago. I have offered to do that on more than 10 occasions. I have also requested to meet with FTB management on more occasions than that. The FTB refused to meet, acknowledged, in writing, that they had no desire to hear the facts, and has tried to sweep me aside...threatening my life. I have information/ proof/ documents you will want to see. It was the review of many of them that lead to the BoE's attorneys suggestion that I meet with you, personally. I've tried to take the high road on this for 7 years.

I can also call you on Monday at any time you'd like, to explain further. You are free to record that call, too. I'm sure your staff gave you all my contact information, but if you want me to call, please email me when and where. I'd like to get on your schedule at your earliest convenience, too, in your southern California office. You will have a hard time believing what I say, but not after you actually see the FTB records the staff there provided me... including how high up this goes and the names of the people who have tried to help me. Most of these people have expressed concern for their pensions by helping me. I think your office is above such intimidation, so I am relying on your help...please. I'm 67 yrs old and can't bear another stroke.

I very much need your help.
Thank you.

Rick Betchley

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██████████ CHLEY

TAX YEAR: 05 APE: 1205

LN	ITEM NAME	EFFECTIVE DATE	CURRENT VALUES	
			DEBIT	CREDIT
1	TOT TAX LIAB	041506		
2	TAX WITHHELD	041506		
3	DELINQ PEN	041506		
4	DEMAND PEN	082707		
5	FE COST FEE	082707		
6	COLL COST FEE			
7	CO LIEN FEE			
8	CO LIEN FEE			
9	BKCY WRITEOFF	030111		
TOTALS			0.00	0.00
CURRENT BALANCE			0.00	0.00

LN: _____



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942840
SACRAMENTO CA 94240-0040

September 19, 2016
2006

LETTER ID: EC 16-01475696 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK

In response to your recent communication, the following is a summary of your personal income tax account with the State of California.

ITEM NAME	DATE	DEBITS	CREDITS
Total Tax Liability	04/15/2007	\$0.00	
Tax Withheld	04/15/2007		80.00
Refund Amount	05/11/2007	80.00	
County Lien Fee		13.00	
FTB Adjustment*	12/02/2010		13.00
Total Credit			93.00
Total Debit		\$93.00	
Total Balance			\$0.00

*Note: Franchise Tax Board (FTB) may adjust an account when the processing costs exceed the amount of the adjustment.

The above computation lists all tax liabilities, penalties, fees, interest, and payments that we have applied to the tax year shown (as of the date of this letter). If there is a balance due, interest will continue to accrue until you pay the balance in full.

663RC
Authorized Representative

Internet and Telephone Assistance

Website: ftb.ca.gov
Telephone: 800.852.5711 from within the United States
916.845.6500 from outside the United States
TTY/TDD: 800.822.6268 for persons with hearing or speech impairments



STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

September 19, 2016
 2007

LETTER ID: EC 16-01475701 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK

In response to your recent communication, the following is a summary of your personal income tax account with the State of California.

ITEM NAME	DATE	DEBITS	CREDITS
Total Tax Liability	04/15/2008	\$562.00	
Tax Withheld	04/15/2008		309.00
Return Payment	04/15/2008		212.00
Bill Payment	08/23/2011		274.39
Delinquent Penalty	04/15/2008	41.00	
Demand Penalty	03/30/2009	140.50	
Total Interest Charged		29.89	
County Lien Fee		12.00	
County Lien Fee		10.00	
Total Credit			795.39
Total Debit		\$795.39	
Total Balance			\$0.00

The above computation lists all tax liabilities, penalties, fees, interest, and payments that we have applied to the tax year shown (as of the date of this letter). If there is a balance due, interest will continue to accrue until you pay the balance in full.

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STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040



SEPTEMBER 15, 2016
 2008

LETTER ID: EC 16-01475704 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK



In response to your recent communication, the following is a summary of your personal income tax account with the State of California.

ITEM NAME	DATE	DEBITS	CREDITS
Total Tax Liability	04/15/2009	\$0.00	
Tax Withheld	04/15/2009		107.00
Bill Payment	02/27/2015		50,000.00
Taxpayer Liability Appl	03/10/2015	50,000.00	
Refund Amount	05/14/2009	107.00	
Total Credit			50,107.00
Total Debit		\$50,107.00	
Total Balance			\$0.00

The above computation lists all tax liabilities, penalties, fees, interest, and payments that we have applied to the tax year shown (as of the date of this letter). If there is a balance due, interest will continue to accrue until you pay the balance in full.

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BETCHLEY

TAX YEAR: 05 APE: 1205

LN	ITEM NAME	EFFECTIVE DATE	CURRENT VALUES	
			DEBIT	CREDIT
1	TOT TAX LIAB	041506		
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3	DELINQ PEN	041506		
4	DEMAND PEN	082707		
5	FE COST FEE	082707		
6	COLL COST FEE			
7	CO LIEN FEE			
8	CO LIEN FEE			
9	BKCY WRITEOFF	030111		

TOTALS	:	<u>0.00</u>	0.00
CURRENT BALANCE	:	0.00	0.00

LN: _____



STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

September 19, 2016
 2006

LETTER ID: EC 16-01475696 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK

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Total Tax Liability	04/15/2007	\$0.00	
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Refund Amount	05/11/2007	80.00	
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FTB Adjustment*	12/02/2010		13.00
Total Credit			93.00
Total Debit		\$93.00	
Total Balance			\$0.00

*Note: Franchise Tax Board (FTB) may adjust an account when the processing costs exceed the amount of the adjustment.

The above computation lists all tax liabilities, penalties, fees, interest, and payments that we have applied to the tax year shown (as of the date of this letter). If there is a balance due, interest will continue to accrue until you pay the balance in full.

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STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

September 19, 2016
 2007

LETTER ID: EC 16-01475701 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK

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Total Tax Liability	04/15/2008	\$562.00	
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Return Payment	04/15/2008		212.00
Bill Payment	08/23/2011		274.39
Delinquent Penalty	04/15/2008	41.00	
Demand Penalty	03/30/2009	140.50	
Total Interest Charged		29.89	
County Lien Fee		12.00	
County Lien Fee		10.00	
Total Credit			795.39
Total Debit		\$795.39	
Total Balance			\$0.00

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STATE OF CALIFORNIA
 FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

September 19, 2016
 2008

LETTER ID: EC 16-01475704 MAKER: 363:00:RC

RICHARD R BETCHLEY & KELLIE S BRUNK

In response to your recent communication, the following is a summary of your personal income tax account with the State of California.

ITEM NAME	DATE	DEBITS	CREDITS
Total Tax Liability	04/15/2009	\$0.00	
Tax Withheld	04/15/2009		107.00
Bill Payment	02/27/2015		50,000.00
Taxpayer Liability Appl	03/10/2015	50,000.00	
Refund Amount	05/14/2009	107.00	
Total Credit			50,107.00
Total Debit		\$50,107.00	
Total Balance			\$0.00

The above computation lists all tax liabilities, penalties, fees, interest, and payments that we have applied to the tax year shown (as of the date of this letter). If there is a balance due, interest will continue to accrue until you pay the balance in full.

663RC
 Authorized Representative

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 916.845.6500 from outside the United States
 TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

4 THE DEFENDANT: No, I couldn't.

5 THE COURT: That is fine because we can take care of the
6 whole thing today.

7 Your motion with regards to Count 1 and 3 to reduce to
8 misdemeanors is granted. Your motion, pursuant to Penal Code
9 Section 1203.4, to dismiss all three counts is also granted.
10 That's it.

11 THE DEFENDANT: So does that mean -- does that mean that
12 they're -- the only term I've been reading about lately is
13 expungement from the public defender's, you know, clinics and
14 things like that there. Does that mean that just it kind of
15 disappears?

16 THE COURT: Well, I can't explain it to you or give you
17 any legal advice.

18 THE DEFENDANT: Okay.

19 THE COURT: It's improper. But if you could perhaps
20 maybe contact Ms. Monterosso, she could in about 30 seconds
21 explain it to you.

22 THE DEFENDANT: Okay.

23 THE COURT: But basically --

24 THE DEFENDANT: Is there a way that I can get a written
25 record of this, Your Honor?

26 THE COURT: Yeah. We'll --

27 THE CLERK: I will be sending you a certified copy of

PG 0
LINES 7-10

All 3 counts
Dismissed

1 IN THE SUPERIOR COURT FOR THE STATE OF CALIFORNIA
2 IN AND FOR THE COUNTY OF EL DORADO
3 DEPARTMENT 2 HON. KENNETH J. MELIKIAN, JUDGE

4 ---oOo---

5 THE PEOPLE OF THE STATE OF CALIFORNIA,
6 Plaintiff,

7 vs. No. P09CRF0229

8 RICHARD RANDALL BETCHLEY,
9 Defendant.

_____ /

10 ---oOo---

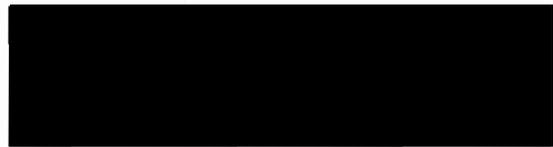
11 REPORTER'S TRANSCRIPT OF PROCEEDINGS
12 SEPTEMBER 12, 2016

13 ---oOo---

14 A P P E A R A N C E S

15 FOR THE PEOPLE: VERN R. PIERSON, District Attorney
16 El Dorado County
17 515 Main Street
Placerville, CA 95667
BY: BRITTANY A. GRIFFITH, Deputy

18 FOR THE DEFENDANT: RICHARD BETCHLEY
19 In Propria Persona



20
21
22

SUPERIOR COURT OF CALIFORNIA, COUNTY OF EL DORADO
495 Main Street
Placerville, CA 95667

People of the State of California
VS.

Case No: P09CRF0229

RICHARD RANDALL BETCHLEY

MINUTE ORDER

=====
Motion RE: 1203.4 PC DISMISSAL

Date: 09/12/16 Time: 8:30 am Dept/Div: 2

=====
Charges: 1) 487(A) PC-M D, 2) 25541 CC-F D, 3) 19706 RT-M D

Honorable JUDGE KENNETH J. MELIKIAN presiding

Clerk: T Thornton

Court Reporter: Jody Ezzell CSR 4131

Bailiff Crawford

Deputy District Attorney B Griffith for J Clinchard present.

Defendant proceeds in Propria Persona.

RICHARD BETCHLEY appeared by vCourt.

The Court has read and considered Petition for Dismissal
pursuant to PC 17(b) and

1203.4 PC filed 08/09/16.

IN RE: REDUCTION TO MISDEMEANOR ON ALL COUNTS

Argument presented by Ms. Griffith for the People.

COURT ORDERS:

Motion is GRANTED.

[In part].

Pursuant to 17b PC the court deems count 1 a misdemeanor as a
violation of 487(A) PC.

Pursuant to 17b PC the court deems count 3 a misdemeanor as a
violation of 19706 RT.

IN RE: DISMISSAL AS TO ALL COUNTS

No objection from the People.

COURT ORDERS:

Plea of guilty or a conviction is set aside; a plea of not
guilty is entered; charge(s) is/are dismissed pursuant to 1203.4
PC.

Probation is TERMINATED successfully.

CUSTODY STATUS

No further appearance is required. Defendant is released.

CC:DA PD DEF JAIL PROB DCSS ATTY INT POLICE SHERIFF CHP PROG RR
ACCT

9/15/16

Page: 2

Case Number : P09CRF0229 People vs. RICHARD BETCHLEY

=====MINUTE ORDER END=====

Dispo



Department of the Treasury
Internal Revenue Service
Fresno, CA 93888-0025

For assistance, call:
1-800-829-0922
Your Caller ID: 507672
Notice Number: CP42
Date: November 29, 2010

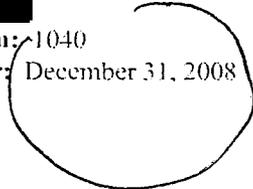
062009.809186.0159.004 1 AT 0.357 630



Taxpayer Identification Number:

Tax Form: 1040

Tax Year: December 31, 2008



2008

KELLIE S. BRUNK & RICHARD BETCHLEY



Overpaid Tax Applied to Other Federal Taxes Owed on Secondary Social Security Number

Our records show you owed other federal taxes under Social Security Number [REDACTED], therefore \$300.00 of the overpaid tax on your tax return for the above year has been applied to the unpaid amount. The figures below show the amount of any refund due to you. If so, a check will be sent to you for the total amount due if it is more than \$1 and you owe no other obligations. However, if the amount due to you is less than \$1, it will be sent to you only if you ask for it.

Tax Statement

Your Overpaid Tax on Return
Amount of Overpaid Tax Applied

Amount to be Applied to Other Obligations,
Refunded, or Applied to Your Estimated Tax

\$300.00
\$300.00
\$0.00

How Your Overpaid Taxes were Applied

Social Security Number	Form(s)	Tax Period(s)	Amount Applied
[REDACTED]	1040	December 31, 2005	\$300.00

This is not a bill. You may receive another notice in the next few weeks.

The following information may pertain to you if you are currently married or were previously married. Did we use your refund to pay for income taxes that you and a former (or current) spouse owe? If you file a claim, you may be eligible to receive relief from having to pay your former (or current) spouse's income tax debt. A successful claim for relief could change the tax you have to pay. You may not owe anything at all. You could receive your refund or other payments back.

You only have two years to file your claim. The two-year clock starts running from the first time we collect on this debt. Taking your refund and using it to pay back taxes is an example of an effort to collect.

9.9

052308.792383.0136.003 1 AT 0.357 375
[Barcode]

RICHARD BETCHLEY
[REDACTED]

AFTER MAIL

FOR 2008

52308

Changes to your 2008 Form 1040

Refund due: \$300.00

We made the changes you requested to your 2008 Form 1040 to adjust your:

- filing status to married filing joint return
- Schedule A
- Economic Stimulus Payment

As a result, you are due a refund of \$300.00.

Summary

Increase in credit	\$-300.00
Refund due	\$300.00

What you need to do

If you agree with the changes we made

- If you haven't already received a refund check for \$300.00, you should receive it within 2-3 weeks as long as you don't owe other tax or debt we're required to collect.



RICHARD BETCHLEY
715 BALBOA AVE
LAGUNA BEACH CA 92651-4105

Notice	CP21B
Notice date	November 15, 2010
Social Security number	[REDACTED]

Contact information

If your address has changed, please call 1-800-829-0922 or visit www.irs.gov.

- Please check here if you've included any correspondence. Write your Social Security number (565-23-4033), the tax year (2008), and the form number (1040) on any correspondence.

Primary phone	Best time to call	Secondary phone	Best time to call
	<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		<input type="checkbox"/> a.m. <input type="checkbox"/> p.m.

INTERNAL REVENUE SERVICE
FRESNO, CA 93888-0025

[Barcode]

65234033 UI BRUN 30 0 200812

9.10



Internal Revenue Service

United States Department of the Treasury

This Product Contains Sensitive Taxpayer Data

Account Transcript

Request Date: 05-12-2011

Response Date: 05-12-2011

Tracking Number: 10009913781

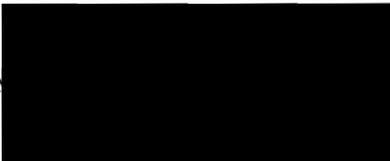
FORM NUMBER: 1040

TAX PERIOD: Dec. 31, 2005

TAXPAYER IDENTIFICATION NUMBER:

SPOUSE TAXPAYER IDENTIFICATION NUMBER:

RICHARD & KELLIE BETCHLEYU



2005

--- ANY MINUS SIGN SHOWN BELOW SIGNIFIES A CREDIT AMOUNT ---

ACCOUNT BALANCE:	665.22	
ACCRUED INTEREST:	4.43	AS OF: May 23, 2011
ACCRUED PENALTY:	0.00	AS OF: May 23, 2011

ACCOUNT BALANCE PLUS ACCRUALS
(this is not a payoff amount): 669.65

** INFORMATION FROM THE RETURN OR AS ADJUSTED **

EXEMPTIONS:	04
FILING STATUS:	Married Filing Joint
ADJUSTED GROSS INCOME:	195,950.00
TAXABLE INCOME:	2,122.00
TAX PER RETURN:	584.00
SE TAXABLE INCOME TAXPAYER:	0.00
SE TAXABLE INCOME SPOUSE:	0.00
TOTAL SELF EMPLOYMENT TAX:	0.00

RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER)	Sep. 12, 2010
PROCESSING DATE	Nov. 01, 2010

TRANSACTIONS

CODE	EXPLANATION OF TRANSACTION	CYCLE DATE	AMOUNT
150	Tax return filed 89221-276-22836-0	20104208 11-01-2010	\$584.00

9.11

520	Bankruptcy or other legal action filed		01-20-2009	\$0.00
521	Removed bankruptcy or other legal action		07-29-2009	\$0.00
166	Penalty for filing tax return after the due date	20104208	11-01-2010	\$131.40
276	Penalty for late payment of tax	20104208	11-01-2010	\$143.00
196	Interest charged for late payment	20104208	11-01-2010	\$222.40
971	Notice issued CP 0014		11-01-2010	\$0.00
706	Credit transferred in from 1040 200812		04-15-2009	-\$300.00
277	Reduced or removed penalty for late payment of tax		11-22-2010	-\$21.00
197	Reduced or removed interest charged for late payment		11-22-2010	-\$17.40
971	Notice issued CP 0039		11-22-2010	\$0.00
706	Credit transferred in from 1040 200612		04-15-2007	-\$8.70
706	Credit transferred in from 1040 200612		04-15-2007	-\$51.20
277	Reduced or removed penalty for late payment of tax		03-21-2011	-\$11.40
197	Reduced or removed interest charged for late payment		03-21-2011	-\$5.70
971	Notice issued CP 0039		03-21-2011	\$0.00

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To continue, select one of the following:

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9.12



Internal Revenue Service
United States Department of the Treasury

This Product Contains Sensitive Taxpayer Data

Wage and Income Transcript

Request Date: 05-12-:
Response Date: 05-12-:
Tracking Number: 10009913:

SSN [REDACTED]
Tax Period Requested: December, 2006

Form 1098 Mortgage Interest Statement

Recipient/Lender:
Recipient's Federal Identification Number ([REDACTED] [REDACTED])
BUTTE COMMUNITY BANK
1390 RIDGEWOOD DR
CHICO, CA 95973-0000

2006

Payer/Borrower:
Payer's Social Security Number: [REDACTED]
RICHARD R BETCHLEY

[REDACTED]

Submission Type:	Original docum
Account Number (Optional):	0000000000 [REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$13,285
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0

Form 1098 Mortgage Interest Statement

Recipient/Lender:
Recipient's Federal Identification Number ([REDACTED] [REDACTED])
WASHINGTON MUTUAL BANK F.A.
7301 BAYMEADOWS WAY
JACKSONVILLE, FL 32256-0000

Payer/Borrower:
Payer's Social Security Number: [REDACTED]
RICHARD R BETCHLEY

[REDACTED]

9.13

Submission Type:	Original docum
Account Number (Optional):	[REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$27,637
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0

Form 1098 Mortgage Interest Statement

Recipient/Lender:

Recipient's Federal Identification Number ([REDACTED] [REDACTED])
 WASHINGTON MUTUAL BANK F.A.
 7301 BAYMEADOWS WAY
 JACKSONVILLE, FL 32256-0000

Payer/Borrower:

Payer's Social Security Number: [REDACTED]
 RICHARD R BETCHLEY



Submission Type:	Original docum
Account Number (Optional):	[REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$95,927
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0

Form 1098 Mortgage Interest Statement

Recipient/Lender:

Recipient's Federal Identification Number (FIN) [REDACTED]
 WELLS FARGO BANK N.A.
 P O BOX 3908 114
 PORTLAND, OR 97208-0000

Payer/Borrower:

Payer's Social Security Number: [REDACTED]
 RICHARD R BETCHLEY



Submission Type:	Original docum
Account Number (Optional):	[REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$233
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0

Form 1098 Mortgage Interest Statement

9.14

Recipient/Lender:

Recipient's Federal Identification Number (FIN) [REDACTED]
SACRAMENTO CREDIT UNION
PO BOX 2351
SACRAMENTO, CA 95812-0000

Payer/Borrower:

Payer's [REDACTED]
BETCHLEY RICHARD
[REDACTED]

Submission Type:

Original docum [REDACTED]

Account Number (Optional):

Mortgage Interest Received from Payer(s)/Borrower(s):

\$14,176

Points Paid on Purchase of Principal Residence:

0

Refund of Overpaid Interest:

0

Form 1099-INT

Payer:

Payer's Federal Identification Number ([REDACTED] [REDACTED])
AMERICAN RIVER HEALTHPRO CU
P O BOX 41409
SACRAMENTO, CA 95841-0000

Recipient:

Recipient's Identification Number: [REDACTED]
RICHARD R BETCHLEY
[REDACTED]
[REDACTED]

Submission Type:

Original docum [REDACTED]

Account Number (Optional):

Interest:

\$24

Tax Withheld:

0

Savings Bonds:

0

Investment Expense:

0

Interest Forfeiture:

0

Second Notice Indicator:

No Second Not

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9.15



Internal Revenue Service
United States Department of the Treasury

This Product Contains Sensitive Taxpayer Data

Wage and Income Transcript

Request Date: 05-12-:
Response Date: 05-12-:
Tracking Number: 10009913:

SSN Provided: [REDACTED]
Tax Period Requested: December, 2007

**Form 5498 Individual Retirement Arrangement
Contribution Information**

Trustee:

Trustee/Issuer's Federal Identification Number (FIN): [REDACTED]
CHARLES SCHWAB & CO. INC.
101 MONTGOMERY STREET
SAN FRANCISCO, CA 94104-0000

2007

Participant:

Participant's Identification Number: [REDACTED]
RICHARD RANDALL BETCHLEY

[REDACTED]

Submission Type:	Original	[REDACTED]
Account Number (Optional):		[REDACTED]
IRA Contributions:		0
Rollover Contributions:		0
Roth Conversion Amount:		0
Recharacterized Contributions:		0
Fair Market Value of Account:		\$4,302
Life Insurance Cost Included in Box 1:		0
SEP Code:	Not Chec	
IRA Code:	Not Chec	
Simple Code:	Not Chec	
Roth IRA Code:	Chec	
RMD For Subsequent Year:		
SEP Contributions:		0
SIMPLE Contributions:		0
Roth IRA Contributions:		\$5,000

Form 1098 Mortgage Interest Statement

9.16

Payer/Borrower:

Payer's Social Security [REDACTED]
RICHARD R BETCHLEY

[REDACTED]

Submission Type:	Original docum
Account Number (Optional):	[REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$8,374
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0
Mortgage Insurance Premiums:	0

Form 1098 Mortgage Interest Statement

Recipient/Lender:

Recipient's Federal Identification Number (FIN): [REDACTED]
WELLS FARGO BANK N.A.
P O BOX 3908 114
PORTLAND, OR 97208-0000

Payer/Borrower:

Payer's Social Security Number: [REDACTED]
RICHARD R BETCHLEY

[REDACTED]

Submission Type:	Original docum
Account Number (Optional):	[REDACTED]
Mortgage Interest Received from Payer(s)/Borrower(s):	\$14,970
Points Paid on Purchase of Principal Residence:	0
Refund of Overpaid Interest:	0
Mortgage Insurance Premiums:	0

Form 1099-INT

Payer:

Payer's Federal Identification Number [REDACTED]
UMPQUA BANK
PO BOX 1820
ROSEBURG, OR 97470-0000

Recipient:

Recipient's Identification Number: [REDACTED]
RICHARD R BETCHLEY

[REDACTED]

9.18

Submission Type:	Original docum
Account Number (Optional):	0000000 [REDACTED]
Interest:	\$13
Tax Withheld:	0
Savings Bonds:	0
Investment Expense:	0
Interest Forfeiture:	0
Foreign Tax Paid:	0
Second Notice Indicator:	No Second Not

This Product Contains Sensitive Taxpayer Data

- To continue, select one of the following:
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 - Select **Done** to return to the TDS main menu.

[Previous](#) [Print](#) [Done](#)

9.19

B059692

92629

IRS USE ONLY

W1

19254-701-18000-0

201111 CP: 42

0 0 17

For assistance, call:

1-800-829-0922

Your Caller ID: 395773

Notice Number: CP42

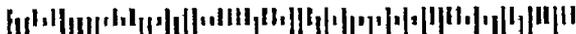
Date: March 28, 2011



Department of the Treasury
Internal Revenue Service
Fresno, CA 93888-0025

Taxpayer Identification Number:

055476.850635.0171.004 1 AT 0.357 630



Tax Form: 1040A

Tax Year: December 31, 2006

Handwritten signature



KELLIE S BRUNK



55476

Overpaid Tax Applied to Other Federal Taxes Owed on Secondary Social Security Number

Our records show you owed other federal taxes under Social Security Number [redacted] therefore \$60.00 of the overpaid tax on your tax return for the above year has been applied to the unpaid amount. The figures below show the amount of any refund due to you. If so, a check will be sent to you for the total amount due if it is more than \$1 and you owe no other obligations. However, if the amount due to you is less than \$1, it will be sent to you only if you ask for it.

Tax Statement

Your Overpaid Tax on Return
Amount of Overpaid Tax Applied

\$60.00
\$60.00

Handwritten signature

Amount to be Applied to Other Obligations,
Refunded, or Applied to Your Estimated Tax

\$.00

How Your Overpaid Taxes were Applied

Social Security Number	Form(s)	Tax Period(s)	Amount Applied
[redacted]	1040	December 31, 2005	\$8.77
[redacted]	1040	December 31, 2005	\$51.23

This is not a bill... You may receive another notice in the next few weeks.

The following information may pertain to you if you are currently married or were previously married. Did we use your refund to pay for income taxes that you and a former (or current) spouse owe? If you file a claim, you may be eligible to receive relief from having to pay your former (or current) spouse's income tax debt. A successful claim for relief could change the tax you have to pay. You may not owe anything at all. You could receive your refund or other payments back.

You only have two years to file your claim. The two-year clock starts running from the first time we collect on this debt. Taking your refund and using it to pay back taxes is an example of an effort to collect.

9.8

~~EXHIBIT~~ 5a

Date:
03/29/2011
Taxpayer Identification Number:
[REDACTED]
TAMRA E WAHEED
Contact Telephone Number:
(949)389-4279
Employee Identification Number:
[REDACTED]

RICHARD & KELLIE BETCHLEYU
[REDACTED]

Notice of Case Resolution

We have closed your collection case. Based on our records, there are no taxes or tax returns currently due on this case for the tax types and periods listed below. We will reopen your case if warranted and will contact you if we do.

You don't need to take any action at this time. However, it is very important that you file all future tax returns and pay any amounts you owe on time.

If you have any questions please call us at 1-800-829-1040 (individuals) or 1-800-829-4933 (businesses). For non-case-related questions, you can also check on our website at www.irs.gov.

<u>Tax Type</u>	<u>Tax Period Ending</u>	<u>Tax Type</u>	<u>Tax Period Ending</u>	<u>Tax Type</u>	<u>Tax Period Ending</u>
1040	12/31/2005	1040	12/31/2006	1040	12/31/2007
1040	12/31/2008				

AFTER 2 TIMES CALLED
IN TO IRS TO REVIEW
DEDUCTIONS, LOAN DOCS, ETC.
NOTHING DUE!
IN FACT, THEY FOUND
REFUNDS DUE US - + SENT
CHECK!

How can our FTB + not IRS? impossible.

9.1

FINANCIAL TITLE COMPANY
 2 Theatre Square, Suite 240, Orinda, CA 94563
 (925) 253-3220
SELLERS CLOSING STATEMENT
 Final

Seller: **Richard R. Betchley**

Escrow No: [REDACTED]
 Close Date: **05/10/2005**
 Proration Date: **05/10/2005**
 Date Prepared: **05/10/2005**

Property: [REDACTED]

Description	Debit	Credit
TOTAL CONSIDERATION:		
Total Consideration		2,175,000.00
ESCROW CHARGES:		
Document Preparation to Financial Title Company	75.00	
Notary Fee to Financial Title Company	20.00	
MISCELLANEOUS CHARGES:		
County Transfer Tax to Financial Title Company	2,392.50	
ADDITIONAL CHARGES:		
1st installment + penalties to Contra Costa Co. Tax Collector	5,492.28	
2nd installment + penalties to Contra Costa Co. Tax Collector	5,502.28	
Invoice to JCP Geologists	123.95	
Staging to Showcase your place	500.00	
yard work to Jose Limon Landscaping	240.00	
2003-2004 BACK TAXES to Contra Costa Co. Tax Collector	6,233.39	
Home warranty to Fidelity Home Warranty	330.00	
Est. Commission to Village Assoc/Pacific Union	56,848.44	
PRORATIONS AND ADJUSTMENTS:		
County Taxes From 05/10/05 To 07/01/05 Based on the Semi - Annual amount of \$4,992.99	77,757.34	1,414.68
PAYOFFS:		
Payoff to Washington Mutual	1,497,302.74	
\$1,465,988.39 Principal Balance		
\$29,908.25 Interest to 5/13/05		
\$30.00 Statement fee		
\$9.00 Recording fee		
\$1,367.10 Outstanding late fees		
Payoff to Wells Fargo Bank -(31,314.35)	601,299.85	
\$589,857.36 Principal Balance		
\$116.19 Interest From 05/10/2005 to 05/11/2005		
\$737.32 Other charges		
\$500.00 termination fees		
\$45.00 Lien Release & recording fees		
\$30.00 Statement fee		
\$10.00 Fax fee		
\$10,003.98 Interest through 5/10/2005 -(1,438.51)		
TITLE CHARGES:		
Shipping Charges to Financial Title Company	29.25	
Wire/Misc Fees to Financial Title Company	25.00	
Sub Totals	2,176,414.68	2,176,414.68
Totals	\$2,176,414.68	\$2,176,414.68

Escrow Number: [REDACTED]

BREAKDOWN OF PAYOFF ON HUD line 504

Payoff to: Washington Mutual
11200 W. Parkland Avenue

Milwaukee, WI 53224

Loan #: [REDACTED]

Description	Amount
Principal Balance	1,465,988.39
Interest to 5/13/05	29,908.25
Statement fee	30.00
Recording fee	9.00
Outstanding late fees	1,367.10
Total Payoff	1,497,302.74

Total as shown on HUD line #504.

1,497,302.74

BREAKDOWN OF PAYOFF ON HUD line 505

Payoff to: Wells Fargo Bank
2324 Overland Avenue

Billings, MT 59102-6401

Description	Amount
Principal Balance	589,857.36
Interest from 05/10/2005 to 05/11/2005	116.19
Other charges	737.32
termination fees	500.00
Lien Release & recording fees	45.00
Statement fee	30.00
Fax fee	10.00
Interest through 5/10/2005	10,003.98
Total Payoff	601,299.85

Total as shown on HUD line #505.

601,299.85

Escrow Number: [REDACTED]

BREAKDOWN OF PAYOFF ON HUD line 504

payoff to: Washington Mutual
 11200 W. Parkland Avenue
 Milwaukee, WI 53224

Loan #: [REDACTED]

Description	Amount
Principal Balance	1,465,988.39
Interest to 5/13/05	29,908.25
Statement fee	30.00
Recording fee	9.00
Outstanding late fees	1,367.10
Total Payoff	1,497,302.74

Total as shown on HUD line #504.

1,497,302.74

BREAKDOWN OF PAYOFF ON HUD line 505

payoff to: Wells Fargo Bank
 2324 Overland Avenue
 Billings, MT 59102-6401

Loan #: [REDACTED]

Description	Amount
Principal Balance	589,857.36
Interest from 05/10/2005 to 05/11/2005	116.19
Other charges	737.32
termination fees	500.00
Lien Release & recording fees	45.00
Statement fee	30.00
Fax fee	10.00
Interest through 5/10/2005	10,003.98
Total Payoff	601,299.85

Total as shown on HUD line #505.

601,299.85