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Brian C. Davis  
Attorney at Law  
802 14<sup>th</sup> Street, Ste A  
Modesto, Ca 95354  
(209) 527-3904

[REDACTED]

[REDACTED]

Petitioner,

Case No.

614144--

vs.

DECLARATION OF [REDACTED]  
IN SUPPORT OF  
PETITION FOR RELIEF FROM  
GOVERNMENT CODE SECTION 945.4

COUNTY OF STANISLAUS,  
STANISLAUS COUNTY SHERIFF,  
MICHAEL GALVAN and DOES 1-20

Date: April 26, 2007  
Time: 8:30 a.m.  
Dept: \

Respondents,

\_\_\_\_\_ /

I, [REDACTED] declare as follows:

I am the petitioner in the instant action. I have personal knowledge of the matter stated herein and if called to testify I could and would competently testify as to the same based on my personal knowledge. I am not using my last name but only my initial thereof for the purposes of privacy.

FILED  
07 MAR 29 PM 3:21  
CLERK OF THE SUPERIOR COURT  
COUNTY OF STANISLAUS  
BY [Signature]  
DEPUTY

1 On December 15, 2005, I returned from work to my house in Modesto, California  
2 between 4:00 and 5:00 p.m. I had left my two children with a babysitter. However, when  
3 I arrived at my home, the children and the babysitter (Mark) were not there. The  
4 windows and doors were open and my house was a wreck. Some of personal property  
5 was missing. I then called the babysitter (Mark) and while calling him, I heard a Sheriff  
6 knock on my door. I went to the door and met a Sheriff Deputy – Michael Galvan. He  
7 told me that he had been to my house earlier on a call about a disturbance at my home. I  
8 asked why my home was so trashed and he asked if he could come in so he could explain  
9 the matter to me.  
10

11 About that time, the babysitter (Mark) arrived with my children. Officer Galvan  
12 called into the Sheriff's office with the name of the babysitter and apparently found out  
13 that the babysitter had an outstanding arrest warrant. Another Sheriff Officer came into  
14 the room and he was told my Galvan to take the babysitter into custody for booking and  
15 Galvan indicated he would follow in a short while.  
16

17 The other officer and the babysitter left, leaving only myself, Officer Galvan and  
18 my children remaining in the home. Officer Galvan told the children into their room as  
19 he had to talk to me. Officer Galvan then went into my bedroom and I followed him. I  
20 sat on my bed and I asked about making a report regarding my missing personal property.  
21 Officer Galvan closed the bedroom door and told me that without receipts for purchases,  
22 he could not write a report.  
23

24 Officer Galvan was dressed in his Stanislaus County Sheriff's uniform, wearing  
25 his badge and his gun in its holster. He sat on a chair next to my bed and asked me where  
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1 my boyfriend was. I told him "in prison". Officer Galvan asked me who lived in the  
2 home with me and I told him that only me and my children live there.

3  
4 Officer Galvan then told me that he had been to my house earlier that day and a  
5 police report had been made regarding drug paraphernalia which was found on my bed on  
6 in my garage. I asked what kind of report and he told me that the report was going to the  
7 Child Protective Services (CPS).

8 I was really upset as I had previously been arrested for drug possession – although  
9 I was exonerated after my boyfriend admitted that the drugs were his.

10 Officer Galvan told me that he found drug residue in the home and that I could be  
11 arrested and my children could be taken from me. I was very frightened and anxious.  
12 Officer Galvan told me that we could make a deal and the report would disappear. I  
13 replied that I did not know what he meant.

14  
15 Officer Galvan said that you have something I want and that he could get rid of  
16 the report. Galvan told me that what he wanted was sex. He told me that if I did not give  
17 him what he wanted that I could go to jail and lose my kids.

18 I locked the bedroom door and gave him what he wanted. I was coerced into  
19 giving him un-consented sex. Officer Galvan raped me. Although all the while, he was  
20 still in uniform with badge and his gun on.

21  
22 Afterwards, I asked how will I know if he got rid of the report. He replied "You  
23 will have to believe me". He told me "Loose lips sink ships" – so don't tell anyone or  
24 you'll lose your kids.

25 I was to frightened to come forward to the police within the first six months as I  
26 was fearful that Officer Galvan would file the alleged police report and that I would lose  
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1 my children. I waited until Officer Galvan was arrested before I came forward with my  
2 complaint against him in Stanislaus County. Furthermore, in about June, 2006 I was  
3 working with the Modesto Police Department and the FBI who were investigating the  
4 incident and because of their ongoing investigation, I could not come forward with a  
5 public complaint as the complaint would have interfered with their investigation. I was  
6 told to wear a "wire" to record conversation with Deputy Galvan on 2 occasions. I could  
7 not come forward with a public complaint until early December 2006 as such a complaint  
8 would have interfered with law enforcement's investigation and it would have warned  
9 said deputy of said investigation.

11 I respectfully request that the court grant me permission to file my lawsuit against  
12 the respondents and granting me relief from Government Code Section 945.4

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Dated: March 15, 2007

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