

OC Legal Portal © 2025 | Prepared for Grand-Jury and Prosecutorial Review | Huntington Beach CA

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Date: Tuesday, October 14, 2025 at 10:13 AM PDT

Grand-Jury & Prosecutorial Overview

Legal context, probable-cause considerations, and evidentiary roadmap

1. Purpose of This Page

This overview condenses the verified record into the form used by prosecutors and grand juries. It explains which laws may have been violated, how each element is met, and why the matter presents a clear question of public integrity. All evidence referenced here is authenticated in the digital portal and physical submissions to HBPD, the District Attorney, and the FBI.

2. Summary of Facts

- Rent for all relevant months was paid and acknowledged in writing.
- A three-day notice and eviction were initiated despite verified payment.
- The property was re-listed as a short-term rental at roughly 54 % higher rent while the lease remained active.
- City permit records show no authorization for short-term use.
- Approx. 500 sq ft of tenant improvements were retained without restitution.
- All documentation—bank records, postal confirmations, emails, and inspection reports—has been delivered to enforcement agencies.

3. Legal Questions for Review

The grand jury's function is to decide whether probable cause exists that one or more of the following statutes were violated:

- **18 U.S.C. § 1341 / § 1343 – Mail & Wire Fraud:** use of mail or electronic communication to obtain money or property by misrepresentation.
- **18 U.S.C. § 1344 – Bank Fraud:** diversion or concealment of rent funds held in financial institutions.
- **18 U.S.C. § 1962(c) – RICO:** operation of an enterprise through a pattern of fraud or extortion.
- **Cal. Pen. Code § 518 – Extortion:** obtaining property by threat or misuse of authority.
- **Cal. Civ. Code § 1942.5 – Retaliatory Eviction:** removing tenants after they exercised legal rights or reported conditions.
- **Cal. Civ. Code §§ 3336–3340 – Conversion of Property:** retention of improvements or deposits without payment.

4. How RICO Applies

The Racketeer Influenced and Corrupt Organizations Act (RICO) allows federal prosecution when two or more qualifying acts—such as mail or wire fraud—occur within a ten-year period as part of an ongoing enterprise. The enterprise need not be criminal in origin; it may include legitimate businesses acting in coordination. Once a pattern is proven, every participant can be charged for the scheme as a whole, not merely for individual acts. Conviction carries treble-damage restitution and forfeiture of ill-gotten gains.

5. Evidence and Probable-Cause Summary

The record demonstrates three core points that satisfy probable-cause standards:

1. **Intent:** communications show awareness that rent was paid before eviction actions were initiated.
2. **Overt Acts:** issuance of notices, court filings, and property re-listing at higher rates while funds remained uncredited.
3. **Resulting Loss:** tenants deprived of housing and improvements worth more than \$150 000 in direct value and roughly \$900 000 in statutory multipliers.

6. Jurisdiction & Chain of Custody

- **Local:** Huntington Beach Police Department – primary evidence intake (July 3 2025).
- **County:** Orange County District Attorney – Public Integrity Division (July 24 2025).
- **Federal:** FBI Los Angeles Field Office – duplicate digital submission (August 2025).
- **Judicial:** Superior Court – Dept C-61 (Hon. M. Hernandez) – case reopened for review.

Each submission includes stamped receipts and checksum verification logs to confirm integrity of data.

7. Damages and Public-Policy Impact

The measurable financial impact exceeds \$210 000 in direct loss with statutory trebling under California and federal law. The broader policy issue concerns the reliability of housing enforcement when electronic proof of payment is ignored. Addressing this pattern protects both property owners and tenants by ensuring that verified digital records control over administrative error.

8. Requested Grand-Jury Action

- Review the certified financial and postal evidence already in possession of the DA and HBPD.
- Determine whether probable cause exists for violations of the statutes listed above.
- Authorize subpoenas for additional banking, brokerage, and permit records.
- Recommend policy guidance to prevent recurrence of similar documentation failures.

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