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9 *ATTORNEYS FOR PLAINTIFFS*
APRIL JAMES, EUNICE SWEARINGER, STEVE BRITTON
10 *AND ROUND VALLEY INDIAN TRIBES*

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 APRIL JAMES, EUNICE SWEARINGER,
15 STEVE BRITTON, and ROUND VALLEY
16 INDIAN TRIBES,

17 Plaintiffs,

18 v.

19 MATTHEW KENDALL, Sheriff of
Mendocino County; COUNTY OF
20 MENDOCINO; WILLIAM HONSAL, Sheriff
of Humboldt County; JUSTIN PRYOR,
21 deputy of Humboldt County Sheriff's Office;
22 COUNTY OF HUMBOLDT; SEAN
DURYEE, Commissioner of the California
23 Highway Patrol; CALIFORNIA HIGHWAY
24 PATROL; and DOES 1 through 50,

25 Defendants.
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Case No. 1:25-cv-03736-RMI

**DECLARATION OF APRIL JAMES
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: August 19, 2025
Time: 11:00 a.m.
Crtrm: 1
Before: Honorable Robert M. Illman

DECLARATION OF APRIL JAMES

Pursuant to 28 U.S.C. § 1746, I, April James, hereby declare as follows:

1. I am an enrolled member of the Round Valley Indian Tribes and the beneficial owner of Trust Allotment No. 406A, located within the historic Round Valley Indian Reservation in Covelo, California. I make this declaration of my own personal knowledge and am competent to testify to the facts stated herein. I am fully competent to make this declaration and I have personal knowledge of the facts stated in this declaration.

2. This declaration is submitted in support of the instant Motion for Partial Summary Judgment.

3. On the morning of July 22, 2024, I was shocked to hear loud knocking on the front door of my house. When I opened the door with my 5-year-old grandson standing behind me I faced a handful of deputies with their guns drawn. They said they had a search warrant but did not present it, then entered my home and searched it for about an hour after telling me, my daughter, grandson and 13-year-old autistic nephew to remain in place during the search. I told them they had no jurisdiction on my tribal trust allotment.

4. When I asked what probable cause they had to raid my home, deputies responded that there were environmental violations involving hazardous chemicals that they were searching for and using river water for plants. I have a well on my property. This was the only reason for the raid, they said. They also said that growing cannabis is illegal and that they could charge me with the sale and manufacturing of illegal drugs. They did not present a search warrant when they entered my house. They did not answer my daughter when she asked if they had a search warrant.

5. Deputies also said they had the right to search my home for parole violations, but nobody in my household has a criminal record, and they were not involved in conduct that would lead law enforcement to reasonably believe they were engaged in criminal conduct.

6. The same day the deputies plowed all the plants on my property. After seeing it, I asked if they were going to leave it that way—with all the metal and plastic in the piles of soil and plants. I have a wooden fence and gate and keep my property nice and in good condition.

1 7. The cannabis destroyed by the deputies was grown solely for my personal medicinal
2 use in compliance with the Round Valley Tribe’s medical cannabis ordinance. I was not cultivating
3 for sale or distribution. I give excess cannabis to my daughter and to my friends.

4 8. The two-day raid frightened me and caused me emotional distress. I feared for my
5 safety when armed officers invaded my property and operated heavy machinery near my home.

6 9. At no point during either day did any officer present a warrant or explain the legal
7 authority for these searches and seizures. A true and correct copy of the search warrant that Sheriffs’
8 offices relied upon to search my allotment is hereby incorporated by this reference and attached
9 hereto as **Exhibit A**.

10 10. I have never been charged with any offense arising out of the events of July 22–23,
11 2024.

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

13 Executed on July 9, 2025

/s/April James

APRIL JAMES, Declarant

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CERTIFICATE OF SERVICE

I am employed in the County of Mendocino, State of California. I am over the age of 18 years and not a party to the within action; my business address is that of Rapport & Marston, 405 West Perkins Street, Ukiah, California 95482.

I hereby certify that I electronically filed the foregoing:

**DECLARATION OF APRIL JAMES IN SUPPORT OF PLAINTIFFS’
MOTION FOR PARTIAL SUMMARY JUDGMENT**

with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system on July 11, 2025, which generated and transmitted a notice of electronic filing to CM/ECF registrants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct; executed on July 11, 2025, at Ukiah, California.

/s/ Ericka Duncan

ERICKA DUNCAN

EXHIBIT A

Case# 202402896

SW No. 03234031

COUNTY OF MENDOCINO, STATE OF CALIFORNIA SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA, to any Sheriff, Sheriff's deputy, policeman, or peace officer in the County of Mendocino: **PROOF** by affidavit having been made before me by Humboldt County Sheriff's Office Deputy Justin Pryor, that there is probable cause to believe the property described herein may be found at the location(s) set forth herein and that it is lawfully seizable pursuant to Penal Code §1524, as indicated below by "x" (s) in that it:

- was stolen or embezzled;
- was used as the means of committing a felony;
- is possessed by a person with the intent to use it as a means of committing a public offense; OR is possessed by another to whom he may have delivered it for the purpose of concealing it or preventing its discovery;
- is evidence which tends to show a felony has been committed or a particular person has committed a felony;
- when the property or things to be seized are controlled substances or a device, contrivance, instrument, or paraphernalia used for unlawfully using or administering a controlled substance pursuant to the authority described in Section 11472 of the Health and Safety Code.

YOU ARE THEREFORE COMMANDED TO SEARCH:

See Exhibit "1A" attached hereto and incorporated herein by this reference;

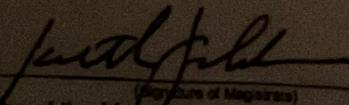
FOR THE FOLLOWING PROPERTY:

See Exhibit "1B" attached hereto and incorporated herein by this reference; and to **SEIZE** it if found and retain such property in your custody, subject to the order of the court pursuant to Penal Code §1528(a), 1536. Wherefore, I find probable cause for the issuance of this Search Warrant and do issue it.

GOOD CAUSE HAVING BEEN SHOWN in the affidavit, **NIGHT SEARCH** pursuant to Penal Code §1533 is approved: Yes No

(Magistrate's Initials)

GIVEN under my hand and dated this 19th day of July, 2024 at 2:45 a.m. (p.m.)



(Signature of Magistrate)
Judge of the Mendocino County Superior Court