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*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.  
26  
27  
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Case No. 1:25-cv-03736-RMI

**DECLARATION OF EUNICE  
SWEARINGER 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 EUNICE SWEARINGER**

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

1. I am an enrolled member of the Round Valley Indian Tribes and the beneficial owner of Allotment 1809 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 July 22, 2024, after returning from an errand, I encountered two Sheriff's vehicles and a California Fish and Game vehicle parked outside a gate, blocking entry to my home. The deputies and officers stood near their vehicles, visibly armed. Rather than approach them, I turned around and drove back to town with my grandson, waiting about 45 minutes before attempting to return home.

4. When I returned, the deputies were leaving, so I proceeded home. There was a Fish and Game officer in front of my house, but no other law enforcement officers. No warrant was shown or provided to me. When I went inside the unlocked house, I discovered three interior rooms were broken into through locked doors. This damaged three doors, trim, doorknobs and locks.

5. I inspected my vegetable garden, located just outside the house. I saw substantial destruction. Someone, I believe the deputies and Fish and Game officers, had scraped and overturned the soil, destroying two small cannabis plants I had been cultivating. Additionally, Defendants used a tractor to push soil across the garden, leaving a visible scar and killing the crops intended to feed my family. The destroyed fruits and vegetables included tomatoes, peppers, onions, zucchinis, cantaloupes and watermelons. My son Felix and I then walked down my road to inspect the rest of my property, which included Felix's cannabis cultivation area on my property. When the cultivated area was in view, it was immediately clear to us that the entire cultivation had been destroyed, consistent with the soil displacement and destruction in the vegetable garden. We believe the same deputies and officers used a tractor to scrape the soil into mounds, without first removing

1 plastic tarps, bags or other inorganic materials used in the cultivation. Despite this destruction, my  
2 son and I salvaged about ten plants, which we replanted in an adjacent area on my property.

3 6. The next morning, July 23, 2024, while I was at home with Felix and my  
4 granddaughter in a trailer next to my house, we saw two Sheriff's vehicles, three CHP vehicles and  
5 two Fish and Game pickup trucks transporting small tractors drive past the house toward the back  
6 of the property where, we believe, the same law enforcement officers had destroyed Felix's  
7 cannabis cultivation the previous day. After they left, my son and I discovered they had once again  
8 scraped my property using one of the tractors transported on a Fish and Game pickup, displacing  
9 soil into a pile and destroying about 25 cannabis plants, including the ten plants we had salvaged  
10 and replanted the previous day.

11 7. I use cannabis ointment to treat pain caused by arthritis and injuries sustained in a  
12 traffic accident leaving me disabled and unable to walk properly. The cannabis I grow is solely for  
13 my personal medicinal use in compliance with the Round Valley Tribe's medical cannabis  
14 ordinance. I was not cultivating for sale or distribution.

15 8. The two-day raid frightened me and caused me emotional distress. I am eighty-seven  
16 years old and feared for my safety when armed officers invaded my property and operated heavy  
17 machinery near my home.

18 9. At no point during either day did any officer present a warrant or explain the legal  
19 authority for these searches and seizures.

20 10. I have never been charged with any offense arising out of the events of July 22–23,  
21 2024.

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

23 Executed on July 10, 2025

/s/ Eunice Swearinger

EUNICE SWEARINGER, Declarant

**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 EUNICE SWEARINGER 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