



Claims Filed allege corruption against Moreno Valley City Officials for Cannabis Business Permit Procedures

'They turned the application process into an opportunity to coerce financial contributions for their individual political campaigns'

MORENO VALLEY, CALIFORNIA, UNITED STATES, October 29, 2018 /EINPresswire.com/ -- Six government claims were filed today against Moreno Valley city officials today, asserting that a "deeply flawed and unlawful process of awarding permits for the engagement in the commercial cannabis business" took place that locked out all new potential cannabis-related licenses.

Six government claims, filed with the Moreno Valley City Clerk's Office, allege that five city officials took part in a scheme that "turned the application process into an opportunity to coerce financial contributions for their individual political campaigns, in violation of state law, and adopted a devious random selection process to allow them to control the final results so they could pick and choose the winners" of cannabis licenses.

The five city officials named include Moreno Valley City Mayor Dr. Yxstian A. Gutierrez and Moreno Valley City Mayor Pro Tem Victoria Baca.

The firm of Pacheco & Neach PC represents the plaintiffs that include Black Creek Properties against the City of Moreno Valley, members of the City Council and city staff. Former Riverside District Attorney Rod Pacheco, a 20-year prosecutor, is the lead attorney for the plaintiffs.

The claims state, "This deeply flawed and unlawful process by City Officials for the award of permits for the commercial cannabis business has caused great financial damage to my clients and we have filed a Notice of Claim pursuant to Government Code 810."

The filings also state, "The due process rights of Black Creek were violated. Plaintiffs' claims are based on the defendants' intentional and absolute failure to conduct a fair process to award permits for the commercial cannabis business; instead, Members induced entities and individuals to participate in the Application Process, turned the Application Process into an opportunity to coerce financial contributions for their individual political campaigns, in violation of state law, and, finally, adopted a devious random selection process to allow them to control the final results so they could pick and choose the winners."

Claims include the following causes of action:

- Federal civil rights claim pursuant to 42 U.S.C. § 1983 based on violation of the Plaintiffs' equal protection and substantive due process right;
- Federal civil rights claim pursuant to 42 U.S.C. § 1983 based on violation of the Plaintiffs' equal protection and substantive due process rights pursuant to *Monell v. Department of Social Services*, 436 U.S. 658 (1978); and
- Fraud.

Current public employees named in the action include:

- Moreno Valley City Mayor Dr. Yxstian A. Gutierrez;
- Moreno Valley City Mayor Pro Tem Victoria Baca;

- Moreno Valley City Councilman Ulises Cabrera;
- Moreno Valley City Manager Thomas M. DeSantis; and
- Moreno Valley City Clerk Pat Jacquez-Nares.

“The timing of the City’s foray into the cannabis business was carefully organized and designed to coincide with political campaigns,” the claims state. “The City Officials acted under color of law to intentionally deprive Plaintiffs of their rights.”

Pacheco filed six Government Claims, one for each client. Those served have 45 days to respond.

For a copy of the filing, contact Rod Pacheco at rpacheco@pncounsel.com or (951) 743-8887.

About Rod Pacheco: Rod Pacheco served in the Riverside County District Attorney's Office as a Deputy District Attorney, Chief Deputy District Attorney, Assistant District Attorney and District Attorney from 2007 to 2010 in Riverside County. He served in the California State Assembly from 1996 to 2002.. In his last 10 years at the office prior to being elected to the Assembly, Pacheco won every case he tried that included five death penalty cases.

About Pacheco and Neach: Pacheco & Neach PC is a team of highly trained, experienced litigators from international law firms that have come together to assist well-respected international and domestic corporations and individuals that rely upon them to resolve their legal issues. As litigators who have fought in countless courtrooms over issues involving contracts, fraud and many other business issues, their highly regarded perspective lends itself to ensuring that the transactional work and corporate guidance they provide is leavened with the hindsight of litigation.

Rod Pacheco
Pacheco and Neach PC
+1 9517438887
[email us here](#)

This press release can be viewed online at: <http://www.einpresswire.com>

Disclaimer: If you have any questions regarding information in this press release please contact the company listed in the press release. Please do not contact EIN Presswire. We will be unable to assist you with your inquiry. EIN Presswire disclaims any content contained in these releases. © 1995-2018 IPD Group, Inc. All Right Reserved.