

1 Christine N. Grab  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]

5 Christne N. Grab, In Pro Per

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8 **NOTICE TO CEASE AND DESIST**

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10 Christine N. Grab )  
11 Declarant ) **Notice of Unlawful Payments, demand to**  
12 vs. ) **cease and desist**  
13 )  
14 California State Controller Malia Cohen )  
15 Respondent )  
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1 **I. Statement of True Facts:**

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3 1. I am a legal inhabitant (People) of the State of California and I am over 18-years of age. Thus, I  
4 have the legal standing to file this Notice.

5 2. The Secretary of State (SOS) has confirmed that the current Lieutenant Governor Eleni  
6 Kounalakis has not filed an Oath of Office for her current term, which began on January 2, 2022.

7 (evidence 1)

8 3. The SOS has confirmed that out of the 40 senators in the California legislature for the current  
9 2025-2026 legislative cycle, twenty-eight (28) current “members” (70%) have not filed Oaths of  
10 Office (evidence 1) for the current term. The noncompliant “senators” are:

- 12 • Angelique Ashby
- 13 • Catherine Blakespear
- 14 • Anna Caballero
- 15 • Maria Elena Durazo
- 16 • Shannon Grove
- 17 • Brian W Jones
- 18 • Mike McGuire
- 19 • Caroline Menjivar
- 20 • Steve Padilla
- 21 • Susan Rubio
- 22 • Kelly Seyarto
- 23 • Thomas J Umberg
- 24 • Benjamin Allen

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- Marie Alvarado-Gil
- Bob Archuleta
- Josh Becker
- Christopher Cabaldon
- Steven Choi
- Dave Cortese
- Eloise Gomez Reyes
- Melissa Hurtado
- Monique Limon
- Roger Niello
- Rosilicie Ochoa Bogh
- Laura Richardson
- Lola Smallwood-Cuevas
- Henry Stern
- Akila Weber Pierson

4. Per the CALIFORNIA CONSTITUTION ARTICLE 20 MISCELLANEOUS SUBJECTS SEC 3,  
all elected Officials are required to take an Oath of Office, to wit:

“Members of the Legislature, and all public officers and employees, executive, legislative, and  
judicial, except such inferior officers and employees as may be by law exempted, shall, before  
they enter upon the duties of their respective offices, take and subscribe the following oath or  
affirmation:

*“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the  
Constitution of the United States and the Constitution of the State of California against*

1           *all enemies, foreign and domestic; that I will bear true faith and allegiance to the*  
2           *Constitution of the United States and the Constitution of the State of California; that I*  
3           *take this obligation freely, without any mental reservation or purpose of evasion; and*  
4           *that I will well and faithfully discharge the duties upon which I am about to enter. ”*

5 5. California Gov't Code Section 1360 affirms this oath requirement. It states:

6           *“Unless otherwise provided, following any election or appointment and before any*  
7           *officer enters on the duties of his or her office, he or she shall take and subscribe the*  
8           *oath or affirmation set forth in Section 3 of Article XX of the Constitution of*  
9           *California.*

10 6. California Government Code Section 18151 also affirms this oath requirement. It says:

11           *“The oath required by this chapter shall be taken and subscribed by: (a) Every person*  
12           *who is appointed to a State position not in the State civil service and not otherwise so*  
13           *required by law, within 30 days of the date of appointment; and (b) Every person who*  
14           *has not previously taken and subscribed the oath and who is employed in a permanent*  
15           *position in the State civil service where the employment continues for 30 days or*  
16           *more, within the first 30 days of his employment.”*

17 7. California Gov't Code Section 1363 requires all elected officials to sign an Oath and file it with  
18 the SOS. Section 1363 (a) and (a)(1) states:

19           *“(a)Unless otherwise provided, every oath of office certified by the officer before*  
20           *whom it was taken shall be filed within the time required as follows:*

21                           *(a)(1) says: “The oath of all officers whose authority is not limited to any*  
22                           *particular county, in the office of the Secretary of State.”*

23 8. California Gov't Code Section 1363(c) requires all Oaths to have an expiration date. It states:  
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1           *"Every oath of office filed pursuant to this section with the Secretary of State shall include*  
2           *the expiration date of the officer's term of office, if any."*

3 9. Per California Government Code Section 18154, without an oath in place, the government  
4 position is legally considered vacant. Therefore, no one legally can be paid. It states:

5           *"Any person who is appointed to a State position not in the State civil service and*  
6           *who fails to take the oath required by this chapter within the time provided*  
7           *forthwith forfeits his right to his position, and the position shall be considered*  
8           *vacant."*

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10 10. The State Senate terms are four (4) year terms, however, the Oaths of Office that State Senators  
11 swear are only for the two (2) years covering the current legislative cycle. This means that each  
12 State Senator is required to file a new oath mid-term for the new legislative cycle.

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14 11. Without a **current** filed oath, these individuals have not lawfully assumed office per the  
15 California Constitution Art. XX §3 and per Gov. Code §1363.

16 12. Per California Gov. Code §1367, it is prohibited to pay an elected official who has not filed an  
17 Oath of Office with the SOS. It states:

18           *"No compensation nor reimbursement for expenses incurred shall be paid to any*  
19           *officer by any public agency unless he has taken and subscribed to the oath or*  
20           *affirmation required by this chapter."*

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22 13. The California Constitution Article. XVI §6 prohibits gifts or illegal expenditures of public  
23 funds. It states:

24           *"The Legislature shall have no power to give or to lend, or to authorize the giving or*  
25           *lending, of the credit of the State, or of any county, city and county, city, township or*  
26           *other political corporation or subdivision of the State now existing, or that may be*  
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1 **Thus, even if the legislative system continues functioning (with or without a quorum), the**  
2 **Controller is permanently barred from paying any member who is not legally certified for**  
3 **office.**

4 17. Should the State Controller fail to halt and claw back these elected officials pay, she may risk  
5 criminal indictment under Gov. Code §1367, and upon a misdemeanor per Gov. Code §1027, which  
6 states:

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8 *“Every person who exercises the duties of any employment in violation of the*  
9 *provisions of this article relative to oaths, and every person who knowingly employs a*  
10 *person ineligible by reason of the provisions of this article relative to oaths, is guilty*  
11 *of a misdemeanor. (Stats. 1943, Ch. 134.)”*

## 12 **II. Notice and Demand**

13 I demand that State Controller Malia Cohen immediately cease and desist all payments made  
14 to (salaries) and on behalf of (benefits) the aforementioned elected officials who have not complied  
15 with the oath laws.

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17 I also demand that that State Controller Malia Cohen, to the extent possible, claw back all  
18 payments made to/and on and behalf of the aforementioned elected officials back to the date when they  
19 began unlawful service.

20 In the case of Eleni Kounalakis, all funds are to be clawed back to January 2, 2022 - the date  
21 that her current term commenced, less 30 days.

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23 For the State Senators, the current legislative cycle began on December 2, 2024, so funds are to be  
24 clawed back to that date, less 30 days.

## 25 26 **III. Deadline**

1 The State Controller has ten (10) business days from the date of service to comply with the  
2 cessation of salaries/benefits and thirty (30) days to claw back any funds that were previously  
3 unlawfully issued. Failure to comply will result in a taxpayer action under CCP §526a, which  
4 allows any taxpayer to sue to prevent illegal expenditure of public funds, waste and actions taken  
5 without legal authority.

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7 **IV. Wherefore:**

8 I am compelled to remind State Controller, Malia Cohen, that you are the public servant  
9 charged by “we the people” to pay the lawful salaries of elected officials. However, to pay a non-  
10 discretionary salary to a noncompliant “officer” as outlined, supra, is a criminal violation of the  
11 *public trust*. We the people are generally forgiving to a fault, but given the ruthless and sometimes  
12 unlawful tax collection practices in California, and the frequent wasteful expenditures of public  
13 funds, we have every right to petition the court for an order to halt to all disbursements to pretenders  
14 to office by Ms. Cohen, to prevent further loss to the public.

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16 We deserve a government built exclusively upon the altogether written *rule of law*, and not  
17 otherwise. When, as with the instant oath of office matter, the de-facto government officers  
18 conspire to excuse the blatant violations of the unambiguous codified law on the books and  
19 substitute their own preferences, declarative relief must be obtained from the court of record to  
20 protect the peoples’ treasury and rights, holding those responsible fully accountable.

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22 Your People have concern that the recalcitrant members of the Senate may stampede to the  
23 Secretary of State filing their required oaths immediately. Should this happen, we deem this  
24 admission of the fault and confession of the initial abandonment of their offices. Thus, a late oath  
25 filing would be tantamount to acknowledging that the office they operated was knowingly vacated,

