

My Motion for an Expedited Hearing Statement  
12/16/20

In my previously filed ex parte motion (ECF-44) which requested a preliminary injunction and court approval to file a lis pendens on the 6220 Federal Blvd property, I provided this court evidence of the interlying issues that with the sale of that property and/or the resulting opening of the dispensary the City of San Diego license has granted the owner of that property, Aaron Magagna (Magagna), a straw person of defendant Larry Geraci (Geraci) the right to do, it has and will cause me and the surrounding community significant financial, personal and emotional damage if this court does not immediately intervene on my behalf until such time that the case can be adjudicated in its entirety.

As construction of this new dispensary is underway it has already contributed to an increase in traffic related issues that have already begun to exacerbate an increasingly deadly traffic situation that exists when the dispensary is completed, just 300 feet from my property at 6176 Federal Blvd. On November 14, 2020 another such accident occurred between a motorcyclist and two vehicles that I'm told resulted in a fatal injury to the motorcyclist. In **Exhibit 1** you can see the images of the motorcycle accident and it's relationship to the new dispensary being constructed, the Big K Market and the accident itself. These are horrific traffic conditions that are only going to get worse and the City of San Diego approved this dispensary knowing that the traffic flow and parking conditions at this particular point were dangerous and not in the public's best interests. The information I have provided regarding the collusion that exists between The City of San Diego Development Services Department (DSD) and Magagna in rushing this project to its completion without regard to public interest or safety will be provided in even greater detail at trial.

I suffer from Post Traumatic Stress Disorder (PTSD) and am currently undergoing treatment by a psychiatrist for this disorder. The fact that I have to see this towering dispensary being constructed within 300 feet of my property and that the construction workers have taken over the parking in front of my property while the building is being constructed, has only increased these stresses to the point that I have felt overwhelmed by the sense of foreboding once the project is completed and it's full effects will be felt.

In my Motion for Leave to File Document (ECF-46) I provided the court with an Omnibus Sur-Reply with exhibits that went to recently discovered evidence that proved a material witness, Corina Young (Young) to my state court case was advised by her attorney Natalie Nguyen (Nguyen) to avoid providing case dispositive testimony that would have proved the allegations of a conspiracy between Geraci and those other parties that were involved in depriving me of my property rights. These exhibits is the evidence I have since provided to the California BAR Complaint Review Unit (CRU) that is currently under review by a staff attorney at the CRU. **See Exhibit 2**

In my ex parte Application for Appointment of Counsel (ECF-36) I had facts that at that time I believed would warrant that court appointed counsel would be granted. At the time I made that application I was not privy to the evidence that arose in the Young/Nguyen matter nor was I aware of the evidence

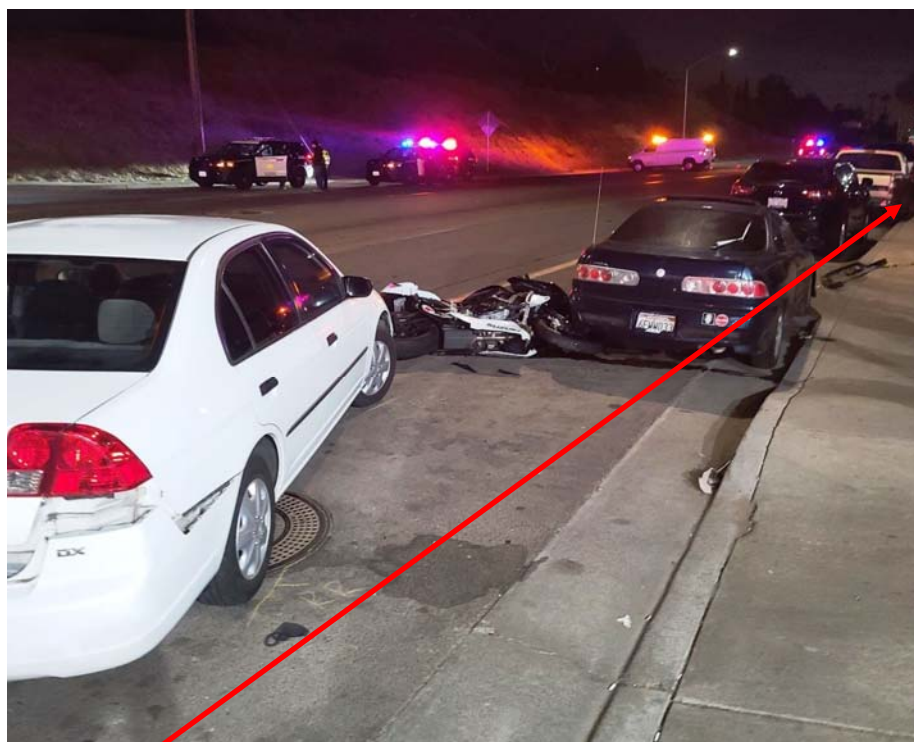
that arose through the FOIA request what Magagna was doing at not just the 6220 property but the adjacent 6302 Federal Blvd property that would enter into their plans to expand their scheme with the acquisition of that property (see ECF-44 Ex 5) while simultaneously employing the same design team to have either Geraci or Magagna acquire a license at a competing property to mine, thereby making the license application at my property, due to land use separation requirements, impossible to attain.

In light of these recent developments and due to the enormous physical and mental pressure these conditions have placed upon me I would respectfully request that this court award me counsel so that the matters may be presented to the court in the proper procedural format and the relief I seek can be fully considered and further complications from the development and sale of the Magagna properties can be avoided.

The 6220 Federal Blvd  
Magagna Dispensary under  
construction being built  
literally on the property line  
of the Big K Market @ 6196  
Federal Blvd.



Scene of the latest November  
14, 2020 accident.



Cotton's 6176 Federal Blvd  
property less than 200 ft  
from the scene of the  
accident.



Darryl Cotton &lt;indagrodarryl@gmail.com&gt;

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**State Bar File No. 20-O-2531**

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**Lum, Donna** <Donna.Lum@calbar.ca.gov>  
To: "indagrodarryl@gmail.com" <indagrodarryl@gmail.com>

Mon, Dec 14, 2020 at 9:32 AM

Dear Mr. Cotton,

On November 18, 2020, the State Bar's Complaint Review Unit (CRU) of the Office of General Counsel received your request for review of the decision of the Office of Chief Trial Counsel (OCTC) to close your complaint against an attorney.

After your file has been reviewed by a CRU staff attorney, you will receive a letter explaining whether your complaint will remain closed or whether it will be returned to OCTC with a recommendation for further investigation.

We appreciate your patience while your file is being reviewed.

Sincerely,

Donna Lum

Administrative Assistant II, Office of General Counsel The State Bar of California | [180 Howard St. | San Francisco, CA 94105](#)

415.538.2575 | [donna.lum@calbar.ca.gov](mailto:donna.lum@calbar.ca.gov)

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