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April 13, 2026

SENT VIA PRIORITY MAIL: 9405550105797022963335

CDCR# AY3253 Building D-8
PO Box 3030
Susanville, CA 96127

SENT VIA FEDERAL EXPRESS:870607219919

High Desert State Prison (HDSP)
475-750 Rice Canyon Rd.,
Susanville, CA 96127

Re: Government Claim

Dear Sir or Madam:

Please consider this a notice of governmental claim, and to the extent any such claims are more than six months old, as an application for a late claim pursuant to California Government Code, Section 911.4.

A. NAME OF THE CLAIMANTS:

Jose Amaya and his heirs.

B. ADDRESS TO SEND ALL NOTICES:

Brad Gage Law, APC, 23002 Victory Blvd., Woodland Hills, CA 91367.

C. THE DATE, PLACE AND OTHER CIRCUMSTANCES OF THE OCCURRENCE OR TRANSACTIONS WHICH GIVE RISE TO THE CLAIMS ASSERTED:

On or about January 16, 2026, Jose Amaya was incarcerated at Desert State Prison in Susanville CA when he was shot in the head by the Block gun from the tower. There was no justification for the shooting. As a direct result of the shooting, part of Jose's skull was shot off. He lost consciousness. He was declared dead. It was stated that he had no brain activity. Defendants decided to pull life support and denied his family access to Jose. This was contrary to his families desires as well as simple compassion.

Jose's brother was able to stop the plug from being pulled. Jose survived, suffering significantly. He regained consciousness despite being declared dead. He still has a piece of his skull missing. He has a helmet on his head. His head is dented in. He needs a brain surgery. Defendants are deliberately indifferent to his medical needs. They are denying him the necessary surgery. They have placed him in the hole where he is denied necessary medical care in deliberate indifference to his needs, health and safety. He has only been visited one time by the doctor, and surgery was not ordered or provided.

Defendants further have retaliated against Jose, saying they will transfer him and deny potentially life saving brain surgery in retaliation for his retaining counsel in this case. Jose has been threatened with physical violence, if he does not agree to the transfer and denial of potential life saving surgery. Despite being a prisoner, he has a constitutional right to receive care and treatment and not to be subjected to cruel and unusual punishment. The claims against the defendants include but are not limited to:

Negligence; intentional and negligent infliction of emotional distress; battery; assault; violation of the Bane Act; Violation of the Ralph Act. (Jose is Hispanic his parents are Mexican and El Salvadorian); Civil Rights Violations including but not limited to 42 USC section 1983.

D. GENERAL DESCRIPTION OF THE INJURY, DAMAGE OR LOSS INCURRED.

General, special (economic and non economic) damages and punitive damages against individual defendants only. Attorneys fees, litigation costs and such other damages as are presented at trial. Loss of support, and any potential wrongful death damages.

E. NAME OF PUBLIC EMPLOYEES CAUSING THE INJURY, DAMAGE OR LOSS TO COMPLAINANTS INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

Those in charge of Desert State Prison in Susanville CA. The officer(s) who shot Jose. Discovery continues.

F. THE AMOUNT OF CLAIMED DAMAGES EXCEEDS \$10,000 AND JURISDICTION WILL BE PROPER IN LOS ANGELES SUPERIOR COURT.

If you contend this is not the proper location for a Governmental Claim, please advise of the proper address. Further, if Defendant contends there are any administrative claims or remedies not pursued by complainant, please advise so that we can fulfill any administrative remedy requirements now. Thank you.

G. DEMAND TO PRESERVE EVIDENCE

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Defendants are hereby demanded to preserve: all video tapes, photographic evidence, tape recordings, witness statements, investigations, medical records, surgical records, transfer orders of Jose Amaya, including without limitation putting him into the hole, medical treatment provided to Jose Amaya and any other evidence of the shooting of Jose Amaya.

H. PUBLIC RECORDS ACT REQUEST FOR IMMEDIATE PRODUCTION OF DOCUMENTS.

Pursuant to the public records act, we hereby request production of the following documents: all video tapes, photographic evidence, tape recordings, witness statements, investigations, medical records, surgical records, transfer orders of Jose Amaya, including without limitation putting him into the hole, medical treatment provided to Jose Amaya and any other evidence of the shooting of Jose Amaya.

Very truly yours,
Brad Gage Law
/s/Bradley C. Gage
By Bradley C. Gage, APLC.