

Synopsis:

In 2011, my Department Chair fired me (or a misguided staff member) without cause and claimed I resigned. I promptly complained and the committee on Privilege and Tenure responded there would otherwise be a prompt reinstatement. Nonetheless, Privilege and Tenure was short-circuited by a Professor in charge of complaints who fired me a second time with a specious proof. He shows in the [proof](#) I resigned¹. Per the letter from P&T both faculty members violated a Regents order (Bylaw 335). To close my employment file, that administrator claimed I violated a zero tolerance policy for an incident I did not commit. In fact, a secretary may have reported threatening acts that did not occur. Thus, my employment file was closed. This means the malfeasance associated with the staff's acts would not become employment "causes" including the firing.

To claim my emeritus office the University used a "protection order". Before such a right is curtailed, the faculty member must be denied the right as a result of having been charged vis a vis the Charges Committee. Unfortunately, I believe the University has been curtailing these rights routinely by short-circuiting the Charges committee if they think a faculty member resigned or was given a "protection order". By using protection orders to secure office space from the faculty member, the faculty member's emeritus rights are curtailed. The staff uses what I call "homages" (see my web site) which are frivolous orders for an employee fired without cause. Often they obstruct justice and hide criminal fraud or acts that are likely misdeeds by the Administration.

I believe the Committee on Charges was bypassed for emeritus rights for many years using these "homages" that are signed by "short order cook" judges who do not carefully evaluate them as frivolous. The UC legals² appear to have used employment files, in an unreferenced manner, that were not protected using a "**procedural safeguards**" during the resignation process. Speculation, and in my case legally incorrect statements, may be added to the "protection order" without due diligence. For example, I did not resign but the "temporary protection order" asserts I did from administrative rather than legal evidence; the use of the order for this administrative purpose, under law, is **frivolous**. The denial of emeritus rights denies the right without consent and ends up requiring legal redress by the faculty member.

The ongoing act of retribution is ongoing as are fraud concerns and thus I believe I 1) remain within allotted time to disclose a violation of a Bylaw (felony complaint) and 2) protected by never having resigned and 3) there is fraud and conflicts of interest (COI) involved in this matter which gives much more time to resolve legally e.g. the protection order rationale (see brief at [brettfleisch.com](#)) 1) calling a firing a resignation, 2) UC giving out documents UC indicates apply in all cases when there was no correct investigation of the civil case that otherwise would be frivolous misuse, 3) an excessive TPO count fraud leading to judicial miscounts stoked by UCOP policy to obtain pro forma signatures or deny hearings and 4) a police officer count fraud sustained by using and renewing protection orders for dead or departed people while collecting headcount when faculty depart. To add insult to injury, Professor Funder used a Cc memo to contact Professor Lippit and fire me "without cause" by CC. Professor Funder called me and an exhibit (at [brettfleisch.com](#)) shows he was inarticulate and could not explain what he was calling about **precisely**. In fact, there was merely "smoke and mirrors" with no actual events. I have not met Professor Funder nor would I expect a memo nor phone call from him to deny tenure.

Finally, the UCPD arrest for "contempt" (to defend academic rights) included a "whistlestop tour" to UCR before bringing me to Presley Detention center where incorrect arrest procedures and physical evidence was produced at the wrong place where I was taken for questioning and UCPD added an extra charge for physical evidence found along the tour route **instead of at the start point** where I was arrested and groceries searched. The charge at the wrong place introduced evidence that should have been given/found at the start point because physical evidence was produced during the tour after search. Late evidence production anywhere on the tour route should be the result of failed search procedure at the start point and consequently

¹ recall Funder has never met me

² recall the UC legals have never met me

late production would likely be inadmissible. This was an incorrect arrest procedure or “false arrest” that produced inadmissible evidence. I conclude this arrest cannot be considered on a UC campus because I was taken there by UCPD in custody.

Professor Funder’s egregious memo went out of its way to say I had “profoundly deleterious” affects on UCR because Professor Bhuyan fired me and called it a resignation. This was followed by a staff member having an accusation against me to secure office space. Later, I determined there could be other COIs. I became a threatening faculty member with a handgun. The supposedly gun-toting professor became dangerous when administrative staff needed my office. Professor Funder saved the campus of an embarrassing outcome and he was applauded. The level of accusation without proper investigation of actions was shocking. Funder fired me and demoted Professor Bhuyan administratively while promoting himself to “distinguished professor” using this incompetent memo. Moreover, the resignation paperwork(see exhibits) shows events sequenced in a manner to deny my revocation of the resignation I never tendered using an obsolete date in the past (denying present dated revocations as late) and then later staff attempted to move the date forward to the present date of non-actual events later without a power of attorney. This produced an irrevocable document whereas normally 48-72 hours would be allowed to revoke it had the date of email notification been used and the administration not hoodwinked by a third party.

To summarize, I was fired without cause, through administrative incompetence and incorrect University procedures. The crux of my argument is legal: Professor Bhuyan’s download (or unknown staff member’s download) of my resignation does not fit the legal definition of a resignation per the article in the references. I did not resign. Moreover, the exhibits (from an administrative document) implies, but does not affirm, certain individuals heard the voice memo I left. The use of a policy to obstruct justice is apparent. I never appeared and no “procedural safeguards” was used. I did nothing threatening. Even the **resignation retraction** sent promptly was ignored. This is because an obsolete copy of resignation paperwork was used instead of me tendering voluntarily a current, originally-signed document, in-person. Finally, the staff used civil law to deny academic rights, obstruct justice, and to hoodwink administrators with no common **incident** reported. This amusing stupidity is a one staff member firing of a faculty member from a tenured position. Quite frankly, since I was not present when I was fired, the exact staff member that fired me was never disclosed.

Evidence suggests Jackie Li took credit in RIC1110397 for the download of a photocopy and giving it to Professor Bhuyan. Professor Bhuyan took credit for the download in the email exhibit in references. But, lastly, a third party could have been involved and heard the voice memo; both Jackie Li and Professor Bhuyan do not affirm hearing the voice memo themselves. The exhibits can mislead one to believe both acted on **hearing** the voice memo. In fact, a third party may have told Jackie to perform these acts. Employment causes associated with past events may be the reason the third party told Jackie to do this. No power of attorney to change the dates on obsolete documents was granted to faculty or staff.

REFERENCES:

www.brettfleisch.com/Bhuyan.pdf
www.brettfleisch.com/hestrin.pdf
www.brettfleisch.com/SOC.pdf
www.brettfleisch.com/hestrin3.pdf
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www.brettfleisch.com/exhibits-2.pdf
www.brettfleisch.com/fleisch_vitae.pdf

Also review:

www.brettfleisch.com/statement2.pdf

The above documents are hyperlinked and hyperlinks ***should be looked over.***