

Statement by Brett D. Fleisch, Ph.D.  
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Hired 1992, tenured 1997, UC, Riverside

1. During the period 2004-2007 I was on loan to the National Science Foundation as an IPA for my area of research. During that period, I requested promotion to the level of Professor as a “lateral promotion”. This occurred three times. I signed only one “procedural safeguards” but there were three requests. Additionally, the request may not have been prepared properly as a “lateral promotion” as requested. Instead, a normal promotion may have been prepared which includes “merit” differences. Thus, the paperwork was prepared incorrectly for the promotion. I was in Arlington, VA most of the time at NSF.
2. In 2011, I pointed out that the promotion was well overdue in a phone message I have exhibits for. I arrived in the office to find out my resignation had been tendered without an in-person appearance, without a signed “procedural safeguards” to alter an employment file, and thus I had been fired. I thought it was a practical joke.
3. I have evidence of events at the resignation in paper form. These appeared in an administrative document.
4. A “protection order” was issued to deny emeritus rights (my office) and they said I had threatening behavior, which I did not. The protection order signatures may have been obtained pro-forma and the order signed by the Court without a hearing. The Court recused my lawyer Frank Stanton Peasley, signed the order, without me present. The Court denied the Rules of Court for recusal of a lawyer associated with my case.
5. The people on the protection order include two staff and two faculty. Mostly the material is frivolous and I believe used to obstruct my academic rights. There is a claimed need for a protection order that has no events described that I did that were threatening. If anything, the secretary who had the most testimony may be using civil law to obstruct my rights, while protecting her from employment causes associated with misbehavior in 1).
6. By using the protection order, my academic file is frozen and not further considered. They also claimed I resigned when I was fired. I therefore assert, the 20 year review or the review that might have been otherwise triggered by my phone call was delayed by the firing. The “protection order” freezes that inspection of the employment file which would have caused the one or more of the staff members to receive causes for the botched paperwork associated with the lateral promotion 2004-2007.
7. By stalling my promotion, firing me, and using the protection order, employment causes which otherwise my have caused employment termination for the staff mistake(s), were obstructed. This may be a form of obstruction of justice.

SUBJECT: Lateral Promotion 2004-2007 to the rank of Professor of Computer Science and Engineering from Associate Professor of Computer Science and Engineering

In the timeframe 2004-2007 a lateral promotion request was denied by thinking both the lateral and merit needed to be linked for the promotion; the misunderstanding of my request denied the promotion. This promotion would have happened had that paperwork been processed properly including the appeals. This occurred while on fully paid administrative leave on an Intergovernmental Personnel Act (IPA) assignment at the National Science Foundation(NSF). Furthermore, after returning from NSF as Program Director for my area of research, the Dean's office also denied promotions claiming they needed teaching evaluations (thus another three year wait). While at NSF and requesting the lateral promotion, the promotion paperwork would have the teaching evaluations in place.