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5 Attorney for BALJIT SINGH ATHWAL

FILED  
AUG 25 2015  
CLERK OF THE SUPERIOR COURT  
COUNTY OF STANISLAUS  
BY *Georgia Defilippo*  
DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF STANISLAUS

10 THE PEOPLE OF THE STATE OF  
11 CALIFORNIA,

12 Plaintiff,

13 V.

14 BALJIT ATHWAL

15 Defendant

Case Number: 1490969

NOTICE AND MOTION FOR  
JOINER AND  
DECLARATION BY BALJIT  
ATHWAL

Date: August 25, 2015  
Time: 9:00 a.m.  
Dept. 8

17  
18 Comes now defendant BALJIT ATHWAL , Through his attorney to join in the  
19 MOTION AND [PROPOSED] ORDER LIMITING USE OF SHACKLES  
20 filed BY GEORGIA DEFILIPPO on August 18, 2015 and set to be heard on  
21 August 24, 2015.

22 Dated: August 23 2015

*Martha Carlton-Magaña*  
\_\_\_\_\_  
Martha Carlton- Magaña  
Attorney for Defendant

*an*

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6 DECLARATION

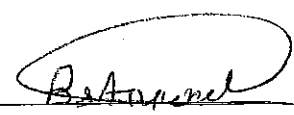
7 I, Baljit Athwal, do hereby state and declare:

- 8 1. I am currently incarcerated at the Stanislaus County Jail without bail.
- 9 2. During legal visits I am restrained in a manner making it very difficult to effectively  
10 communicate with my attorney and prepare my defense in this matter. I am restrained in  
11 the following manner during legal visits:
  - 12 a. Leg irons chains around my ankles and a chain around my waist.
  - 13 b. Handcuffs tightly clamped on my wrists to which a box is attached.
  - 14 c. Handcuffs are connected to the chain around my chest.
  - 15 d. I am chained to a short metal stool in the visiting room.
- 16 3. These physical restraints are very uncomfortable making it very difficult to concentrate  
17 on the discussion I am having with my attorney or investigator. The interview may be  
18 cut short because of the discomfort.
- 19 4. I cannot make any notes in writing during my conversations with my attorney based on  
20 the restrains described above. It is impossible to write anything even when I raise my  
21 hands as far as they can go because of the position of the cuffs. My attorney had to  
22 position and hold a piece of paper so that I could sign it and my signature was illegible.
- 23 5. I unable to review discovery because I cannot turn a page without raising my hands as  
24 far as they can go to reach the table, thereby causing the cuffs to cut into and squeeze  
25 my wrists.
- 26 6. I have never been arrested before and I have been cooperative and compliant with the  
27 custodial officers while being incarcerated.  
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I declare under penalty of perjury that the foregoing is true and correct.

Executed at Modesto, California on August 24, 2015



A handwritten signature in cursive script, appearing to read "Baljit Athwal", is written above a horizontal line.

Baljit Athwal