

Exhibit B

FILED WITH
CITY CLERK
Date 11/25/24 Hr. 9:00 AM
Sign *[Signature]*

To the below named defendants:

City of Prescott 201 N Montezuma Street, Prescott, AZ 86301	Officer Caron Prescott Police Department 201 N Montezuma Street, Prescott, AZ 86301	Officer Trujillo Prescott Police Department 201 N Montezuma Street, Prescott, AZ 86301
SGT Gerlach 201 N Montezuma Street, Prescott, AZ 86301	Lt Novak 201 N Montezuma Street, Prescott, AZ 86301	Brambila 201 N Montezuma Street, Prescott, AZ 86301
Chief of Police 201 N Montezuma Street, Prescott, AZ 86301	City Attorney 201 N Montezuma Street, Prescott, AZ 86301	City Clerk 201 N Montezuma Street, Prescott, AZ 86301

To the defendants:

This Notice is submitted on behalf of Eli Dalton-Webb. This Notice of Claim is brought pursuant to Arizona Revised Statute § 12-821.01, Article 2, Section 6 of the Arizona Constitution, Arizona Revised Statute § 32-1101.01, and any other relevant law, caselaw, order, code, or otherwise. This Notice is Ariz. R. Evid. 408 and Fed. R. Evid. 408 protected.

Legal Theories Underlying the Claims

Under Article 2, Section 6 of the Arizona Constitution: “Every person may freely speak, write, and publish on all subjects, being responsible for the abuse of that right.”. The City of Prescott is not permitted to distinguish between subjects. Further, the city is not legally capable of licensing speech or enacting any criminal punishment for speech.

Under Article 2, Section 33 of the Arizona Constitution: “ The enumeration in this Constitution of certain rights shall not be construed to deny others retained by the people.”. The City of Prescott cannot regulate nor prohibit the most basic interactions and common things people do.

Under Arizona Revised Statute § 32-1101.01: “The legislature determines that the licensing of construction contractors is a proper state function. Cities, including charter cities, towns and counties shall not require licenses of any construction contractors licensed by statute prior to the effective date of this section.”. The City of Prescott has no authority to regulate contractors in the State of Arizona. Further, Arizona Revised Statute § 32-1165 regulates the advertising of contracting.

Under Article 2, Section 5 of the Arizona Constitution: “The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.”. Under Arizona Revised Statute § 13-1502 and Article 2 § 5, a peace officer has no authority to trespass a person without specific authority of the property owner. A peace officer cannot simply observe a person walking onto a property and make the determination that the person is trespassing, without greater context.

Under Prescott Code 1-3-1, a person cannot be deemed committing a crime, unless that person intentionally, knowingly, or recklessly commits the crime. Further, the City of Prescott has a duty to inform an alleged offender of what crime they are allegedly committing in order for the crime to have been committed.

The usage/violation of one right shall not be construed as a non-usage/non-violation of another right. Eli Dalton-Webb hereby incorporates all rights and all violations of such rights.

Events Leading To Claim

On 22 May 2024, Eli Dalton-Webb was going door-to-door, communicating with people. Officer Caron, accompanied and helped by other officers, stopped (and/or assertively/authoritatively spoke with) Eli Dalton-Webb and threatened to seize his person and criminally charge him if he continued to go onto people's property and continued to communicate with people. Eli Dalton-Webb informed Officer Caron that the peace officer had no authority to prohibit Eli Dalton-Webb's actions, pursuant to A.R.S. § 32-1101.01.

Eli Dalton-Webb was exercising rights and privileges under Chapter 10 of Title 32 of the Arizona Revised Statutes. The ROC license number is 309656. The trade was primarily roofing.

Eli Dalton-Webb requested Officer Caron to produce what laws Eli Dalton-Webb was violating and what the consequences of violating the alleged legal violations, and Officer Caron failed to do so.

Eli Dalton-Webb has never been a resident of the City of Prescott and is/was unfamiliar with the City of Prescott. Eli Dalton-Webb was unfamiliar and did not have knowledge of any of the City of Prescott's laws. Eli Dalton-Webb was unaware of the physical area jurisdiction of the City of Prescott.

Eli Dalton-Webb was not properly informed of any crime he was committing, and, pursuant to Prescott Code 1-3-1, not excluding subsection A, did not commit a crime in which peace officers of the City of Prescott could act upon (not excluding arrest, criminal charge, and criminal citation).

Damages

The City of Prescott and its officer(s) have caused damages to Eli Dalton-Webb. The City of Prescott violated the Arizona Constitution, Arizona Revised Statutes, and the City of Prescott law. Not excluding, The City of Prescott is responsible for negligent hiring, training, and supervision of its community rank and file officers, improperly trained in lawful versus unlawful public conduct.

Demand for Settlement

In light of the foregoing, demand is hereby made in the amount of \$300,000 (three hundred thousand dollars), inclusive of costs and attorneys fees from the City of Prescott. Additionally, in light of the foregoing, demand is hereby made in the amount of \$50,000 (fifty thousand dollars) for each individual named defendant. I look forward to working with representatives of the named defendants to arrive at an early and mutually satisfactory resolution to this matter.

Thank you,
Eli Dalton-Webb
5009 E. Ironwood Circle
Sierra Vista, Arizona 85650

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1. Article Addressed to:

City of Prescott
201 N Montezuma St
Suite 302
Prescott, AZ 86301



9590 9402 8925 4064 3834 31

2. Article Number (Transfer from service label)

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PS Form 3811, July 2020 PSN 7530-02-000-9053

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85650*