

1 MITCHELL SAGARIBALLA JR.
97327 State Line Ln
2 New Pine Creek, Oregon, 97635
3 541-417-2696

FILED

APR 02 2026

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5 MITCHELL SAGARIBALLA JR., IN PRO PER

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8 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
9 **FOR THE COUNTY OF LAKE**

10
11 MITCHELL SAGARIBALLA JR.
12 Plaintiff,

13 vs.

14 NEW PINE CREEK RURAL FIRE
PROTECTION DISTRICT,
15 (GEOFF POINTERE: NPCRFD FIRE CHIEF,
16 AND RANDY LAWSON: NPRFD BOARD
CHAIR)

17
18 Defendant(s).

Case No.: 26CV15456

**COMPLAINT FOR DECLARATORY
AND INJUNCTIVE RELIEF AND CIVIL
RIGHTS VIOLATION**

DATE: APRIL 2, 2026

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22 Plaintiff alleges:

23 **PARTIES**

- 24 1. Plaintiff Mitchell Sagariballa Jr. is a resident of the State of Oregon and who's residential
- 25 address is 97327 State Line Ln., New Pine Creek, Oregon, 97635.
- 26 2. Defendant New Pine Creek Rural Fire Protection District is a governmental entity organized
- 27 under the laws of the State of Oregon who's physical location is 11167 US Highway 395,
- 28 New Pine Creek, Oregon, 97635.
- 3. Defendants, Randy Lawson and Geoff Pointere, are local public officers engaged by Defendant and acted under color of state law.

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JURISDICTION AND VENUE

- 1. This Court has jurisdiction under the Uniform Declaratory Judgments Act, ORS 28.010–28.160.
- 2. This Court has authority to grant injunctive relief under ORCP 79.
- 3. Venue is proper because the acts complained of occurred in Lake County, Oregon.

FACTUAL ALLEGATIONS

- 1. On or about May 14, 2025, Plaintiff was issued a trespass or exclusion order verbally by a deputy of the Lake County Sheriff’s office. On or about May 29, 2025, a formal letter was received by the Plaintiff from the Defendants prohibiting Plaintiff from entering or remaining upon property located at 11167 US Highway 395, New Pine Creek, Oregon 97635 without expressly written permission given by the Defendants.
- 2. The property identified in the exclusion order is publicly owned or controlled property generally open to members of the public. The property is more well known as the New Pine Creek Rural Fire Protection District and houses emergency vehicles and equipment. It is also the sole location where all of the public meetings are held by the New Pine Creek Rural Fire Protection District
- 3. Oregon law defines “premises” to include publicly owned property, and recognizes that property may be open to the public when circumstances would cause a reasonable person to believe no permission is required to enter.
- 4. At the time the exclusion order was issued, Plaintiff had not committed a criminal offense and was not cited, arrested, or charged with any crime.
- 5. Plaintiff repeatedly contacted the Defendant with requests of resolution or the opportunity to contest the trespass order and was denied without proper cause or justification.
- 6. The trespass order was issued without providing Plaintiff:
 - a. notice of a hearing;
 - b. any administrative appeal process; or
 - c. any meaningful opportunity to contest the exclusion.
- 1. The exclusion order immediately deprived Plaintiff of access to public property and the ability to attend the public meetings held on site. Defendants were also unwilling to make accommodations for Plaintiff to attend virtually or via phone.
- 2. Oregon courts recognize that access to public property implicates liberty interests protected by the Due Process Clause when state action interferes with lawful presence on property open to the public.
- 3. Courts analyzing exclusion from public property must determine:
 - a. whether the state deprived a protected interest; and
 - b. what process was due before the deprivation.
- 1. Government restrictions on public property must be supported by lawful authority and legitimate governmental interest.

- 1 2. Oregon courts have also recognized that exclusion orders affecting constitutionally
2 protected activities can implicate protected liberty interests requiring due process
3 protections.
- 3 3. Defendants issued the trespass order without any criminal conduct, procedural safeguards,
4 or judicial review.
- 5 4. The exclusion therefore constitutes an arbitrary deprivation of Plaintiff's liberty interest in
6 accessing public property.

6 FIRST CLAIM FOR RELIEF

7 Plaintiff realleges paragraphs 1–18.

- 8 1. An actual and justiciable controversy exists regarding the legality of the trespass order.
- 9 2. Plaintiff contends the trespass order is unlawful because it:
 - 10 a. was issued without criminal conduct;
 - 11 b. excludes Plaintiff from public property open to the public;
 - 12 c. provides no hearing or appeal process; and
 - 13 d. violates procedural due process protections.
- 14 1. Plaintiff seeks a declaration that the trespass order is invalid and unenforceable.

14 SECOND CLAIM FOR RELIEF

- 15 1. Plaintiff realleges paragraphs 1–22.
- 16 2. Plaintiff will suffer irreparable harm if Defendants continue to enforce the exclusion order.
- 17 3. Plaintiff has no adequate remedy at law.
- 18 4. The balance of equities favors Plaintiff because enforcement of an unlawful exclusion from
19 public property serves no legitimate governmental interest.
- 20 5. The public interest favors protecting constitutional due process rights.
- 21 6. Plaintiff requests a preliminary and permanent injunction prohibiting Defendants from
22 enforcing the trespass order.

21 THIRD CLAIM FOR RELIEF

22 Plaintiff realleges paragraphs 1–28.

- 23 1. Defendants acted under color of state law.
- 24 2. By issuing and enforcing the trespass order without notice, hearing, or opportunity to
25 challenge the exclusion, Defendants deprived Plaintiff of rights secured by the United States
26 Constitution, including:
 - 27 a. the Fourteenth Amendment right to due process of law; and
 - 28 b. the liberty interest in accessing public property for lawful purposes.
1. The actions of Defendants were arbitrary, unreasonable, and undertaken without lawful
authority.

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- 2. As a direct result, Plaintiff suffered deprivation of constitutional rights.
- 3. Under 42 U.S.C. §1983, Defendants are liable for violations of constitutional rights.

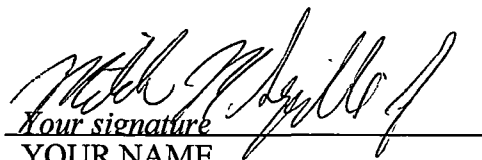
ATTORNEY FEES

- 1. Plaintiff is entitled to recover reasonable attorney fees and costs under 42 U.S.C. §1988 if successful in this action.

WHEREFORE Plaintiff requests that this Court:

- A. Declare the trespass order invalid and unconstitutional;
- B. Issue a preliminary and permanent injunction prohibiting Defendants from enforcing the trespass order;
- C. Order Defendants to rescind and remove the trespass order from their records;
- D. Award Plaintiff attorney fees and costs pursuant to 42 U.S.C. §1988;
- E. Grant such other relief as the Court deems just and equitable.

DATED: April 1, 2026


 Your signature
 YOUR NAME
 In Pro Per

Mitchell Sagariballa Jr.
 PO Box 67
 New Pine Creek, OR 97635
 541-947-2289