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8 *CHRISTIAN NOEL PADILLA-MARTEL*

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SAN FRANCISCO**

12 PEOPLE OF THE STATE OF CALIFORNIA,)
by and through Dennis J. Herrera, City Attorney)
for the City and County of San Francisco,)
13)
Plaintiff,)
14)
vs.)
15)
CHRISTIAN NOEL PADILLA-MARTEL aka)
16 CHRISTIAN PADILLA-MARTEL, an)
individual,)
17)
Defendant.)
18)
19)
20)

CASE NO. CGC-20-586763

**DECLARATION OF CHRISTIAN
NOEL PADILLA-MARTEL IN
SUPPORT OF OPPOSITION TO
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: April 27, 2021
Time: 9:30 a.m.
Dept: 302
Judge: Hon. Ethan P. Schulman

Complaint Filed: September 24, 2020
Trial Date: Not Set

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1 I, Christian Padilla-Martel, declare as follows:

2 1. I have personal knowledge of the following facts except those stated on
3 information and belief. As to those facts, I believe them to be true. If called to testify, I could and
4 would testify competently to the contents of this declaration. I am over the age of 18. I make this
5 declaration in opposition to the City Attorney’s request for a preliminary injunction against me in
6 this case. I understand that I am the defendant in this case, but I do not understand why the City is
7 seeking to keep me out of significant portions of the City of San Francisco.

8 2. I have a five-year-old son who lives with his grandparents. Although my son does
9 not live with me, I support him by sending my parents money every month.

10 3. My family, including my parents and my five-year-old son, are extremely poor.
11 That is why I send them money on a regular basis—for them to have food, water and shelter, so
12 that they can have the basic necessities of human existence.

13 4. I attended school through the sixth grade. After that, due to my circumstances, I
14 had to work to provide money for food, shelter and other basics.

15 5. I currently work painting houses and do so nearly every day. I do not love my
16 painting job, but that is the work that is available to me right now. I hope one day to find work as
17 a mechanic, which I have received training on and enjoy doing.

18 6. I have previously taken public transportation, including BART in the City of San
19 Francisco. I plan to do so in the future. The routes of the public transportation systems I take go
20 through various portions of the Tenderloin.

21 7. I understand the City is seeking an injunction to prevent me from entering a
22 significant area of the Tenderloin under any circumstances. My counsel has provided me with a
23 map that was prepared by the City for this purpose, and that was in the Complaint filed by the City
24 against me (the “Banishment Zone”).

25 8. I understand I have a right to move freely within the City of San Francisco as a
26 person in living in the United States and that the proposed injunctive relief here would bar me
27 from even entering the Banishment Zone. That would, in turn, prevent me from speaking,
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1 assembling or engaging in any form of free expression or seeking any services within the
2 Banishment Zone.

3 9. I understand that the City is seeking fines and penalties against me. I cannot afford
4 to even provide the basics for my family right now, and one or more \$2,500 penalties assessed
5 against me would ruin me financially.

6 10. To say that the injunction would severely limit my ability to enter the City of San
7 Francisco is a gross understatement. It would prevent me from going into the Banishment Zone,
8 which comprises nearly the entire Tenderloin. That would not only take away my basic rights as a
9 person, but it would also seriously prejudice my present life for the reasons set forth herein.

10 I declare under penalty of perjury under the laws of the State of California that the
11 foregoing is true and correct. Executed this 9th day of April, 2021, in San Francisco, California.

12
13 Cristian Noel Padilla Martel
14 Christian Noel Padilla-Martel

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17 INTERPRETER CERTIFICATION

18 I, Audrey Barron, hereby certify that I accurately translated this declaration to
19 the defendant, Christian Noel Padilla-Martel, in Spanish. I declare under penalty of perjury that
20 the foregoing is true and correct. Executed this 9th day of April, 2021, in Oakland, CA.

21 AB
22 Audrey Barron
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