

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
Second Appellate District, Division One

ALKIVIADES DAVID, et al.,
Defendants and Appellants,

v.

JANE DOE,
Plaintiff and Respondent.

Case Nos.: B341119 (consolidated with B345361)
Trial Court No.: 20STCV37498

APPELLANT’S NOTICE OF SUPPLEMENTAL MATTERS AND SUPPLEMENTAL ARGUMENT REGARDING ADA VIOLATIONS

I. PROCEDURAL STATUS

Respondent has failed to file a responsive brief following notice of default under California Rules of Court, rule 8.220. The matter is therefore positioned for decision based on Appellant’s submissions.

II. RELATED PROCEEDINGS

Parallel proceedings are ongoing in Antigua and England involving overlapping facts and parties, reinforcing the seriousness of the underlying issues.

III. APPELLANT’S DISABILITY AND COURT NOTICE

Appellant suffers from a documented traumatic brain injury affecting executive function, impulse control, and stress regulation. Medical evidence and counsel representations placed the trial court on actual notice of these impairments.

IV. FAILURE TO ACCOMMODATE

Despite clear notice, the trial court did not conduct any accommodation inquiry or modify proceedings to ensure meaningful participation, as required under California Rules of Court, rule 1.100.

V. MISCHARACTERIZATION AND PREJUDICE

Appellant’s disability-related symptoms were treated as misconduct, leading to coercive responses rather than accommodation. This resulted in material prejudice affecting Appellant’s ability to participate and defend himself.

VI. REVERSIBLE ERROR

The failure to accommodate a known disability constitutes structural or, at minimum, reversible error, undermining the fairness and integrity of the proceedings.

VII. CONCLUSION

The judgment should be reversed or remanded with instructions to ensure compliance with ADA obligations and due process.

Dated: March 28, 2026

/s/ Alkiviades David
Appellant, In Propria Persona
St. John's, Antigua and Barbuda