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For Immediate Release, March 15, 2011

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SD COUNTY TO AUCTION Veteran's Land, March 18, 2011, Over Bungled Weed Abatement Action

County leaders acknowledge wrongs but have refused to protect citizen's rights

SAN DIEGO, *Calif.* - The County of San Diego will be seizing Joseph Diliberti's land by conducting a public auction this Friday (March 18) at the San Diego Convention Center. The County has established the starting bid at \$71,000, about what Diliberti paid for his land decades ago. The auction will begin at 9:00 AM.

The County will be auctioning off the veteran's home of thirty years to satisfy a questionable weed abatement lien. The lien was placed on Diliberti's land in 2004 after Fire Prevention Services, a private company hired by the San Diego Rural Fire Protection District (SDRFPD), cleared less than a half acre of native habitat on Diliberti's property while he was away on vacation. He was charged \$25,000 for the work. The county paid the company and established the lien. The lien has grown dramatically due to penalties and interest. Numerous other county citizens have been victimized in the same manner.

Despite the fact that SDRFPD Chief David Nissen, County Tax Collector Dan McAllister, staff members for the SD County Board of Supervisors, and state leaders have all acknowledged what has happened to Mr. Diliberti is wrong, none have been willing to protect Diliberti's rights or change laws that allow citizens to be vulnerable to draconian clearance laws and unethical contractors.

"While we support efforts to encourage citizens to establish defensible space around homes to reduce fire risk," said Richard Halsey, Director of the California Chaparral Institute, "we also strongly support private property rights. The native habitat that was cleared around Mr. Diliberti's fired-clay studio did not pose a significant risk to others or to the fire safe structures on the property. This unfortunate situation is the result of a

government bureaucracy being given too much power over a private citizen's life without appropriate checks and balances."

The California Chaparral Institute, several veteran's groups, and the American Civil Liberties Union (ACLU) have asked San Diego County and the San Diego Rural Fire Protection District (SDRFPD) to cease plans to take Mr. Diliberti's property.

"The ACLU believes the lien and auction would unfairly deprive Mr. Diliberti of his home," ACLU Executive Director Kevin Keenan wrote to the fire district. "We urge you to seek an alternative solution that does not leave Mr. Diliberti homeless."

Mr. Diliberti, his family and friends will be attending the public auction this coming Friday, March 18, at the San Diego Convention Center, 111 West Harbor Dr., San Diego.

For an audio slide show from the Los Angeles Times that describes Joseph Diliberti's art studio and the native landscape surrounding it, please view the following: <http://www.latimes.com/news/custom/topofthetimes/topstories/la-me-weeds-ss,0,4653627.htmlstory>

For additional information on this matter please visit: <http://www.californiachaparral.org/helpjosephdiliberti.html>

The California Chaparral Institute (CCI) is a non-profit science and educational organization dedicated to promoting an understanding of and respect for Mediterranean-type ecosystems, helping the public and government agencies create sustainable, fire safe communities, encouraging citizens to reconnect with and enjoy their local, natural environments, and preserving healthy native habitats for all living things. www.californiachaparral.org