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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
15 **COUNTY OF SACRAMENTO**

16 ASIAN AMERICAN LIBERATION  
NETWORK, a California non-profit  
17 public benefit association; KHURSHID  
KHOJA, an individual; ALFONSO  
18 NGUYEN, an individual,

19 Petitioners/Plaintiffs,

20  
21 v.

22 SACRAMENTO MUNICIPAL  
UTILITY DISTRICT; PAUL LAU, in  
23 his official capacity as the Chief  
Executive Officer of the Sacramento  
24 Municipal Utility District; CITY OF  
SACRAMENTO; KATHERINE  
25 LESTER, in her official capacity as  
26 Chief of Police of the City of  
Sacramento Police Department,

27  
28 Respondents/Defendants.

Case No.: 34-2022-80004019

**DECLARATION OF ALFONSO  
NGUYEN IN SUPPORT OF  
PETITION FOR WRIT OF  
MANDATE**

Hearing Date: October 10, 2025  
Time: 10:00 a.m.  
Place: Department 21  
Judge: Hon. Shelleyanne W. L.  
Chang

Action Filed: September 21, 2022

1 I, Alfonso Nguyen, hereby declare as follows:

2 1. I work as an adjunct counselor at Cosumnes River College. I have owned  
3 my home in Sacramento County since 2001, where I live with my elderly mother. We  
4 are immigrants from Vietnam. We receive electricity from SMUD. Neither I nor any  
5 member of my household has ever cultivated cannabis at this home or anywhere else.

6 2. Due to a spinal cord injury, I have limited mobility. I use an electric  
7 wheelchair, which I charge at home. My injury also inhibits my body's ability to  
8 regulate its temperature. I must maintain the temperature of my home within a  
9 steady range by almost constantly using electric heat pumps or air conditioning, or  
10 risk serious medical complications.

11 3. On or about May 29, 2020, two Sacramento Sheriff's deputies arrived  
12 unannounced at the gate of my property. When a deputy demanded to be let into my  
13 home to search it, I asked why he wanted to do so. He answered that SMUD had told  
14 the Sheriff's Office that my home uses a lot of electricity. The deputy accused me of  
15 growing marijuana, which I denied.

16 4. I refused to allow the deputies to search my home without a warrant. At  
17 one point, a deputy put his hand over his holstered gun as if preparing to draw it. He  
18 also called me a liar. Before leaving, the deputy threatened to return with a warrant  
19 and arrest me.

20 5. Soon after, I contacted SMUD, which initially denied disclosing my home  
21 energy usage data to the Sheriff's Office, but a few days later acknowledged that they  
22 had, in fact, done so. I also filed a complaint with the Sheriff's Office. **Exhibit A** is a  
23 true and correct copy of the complaint I filed with the Sheriff's Office.

24 6. A few years earlier, I had a similar experience. Two deputies came to my  
25 home. They did not have a warrant, so I said they could not come in. Nonetheless, one  
26 of them pushed open the door, pushed me aside, and searched my home. The search  
27 revealed nothing.

28 7. The actions of SMUD and the Sacramento County Sheriff's Office have

1 caused me to fear for my physical safety and invaded my privacy inside my home.  
2 SMUD should not be sharing my electricity usage data with law enforcement, because  
3 this information is private, I have no choice but SMUD for electricity service, and my  
4 SMUD meter cannot be seen without coming onto my property.

5 8. By bringing this case, I seek to ensure that neither I nor anyone else is  
6 subjected to future law enforcement intrusions based on SMUD's disclosures.

7 9. SMUD bills a "State Surcharge" tax as part of my monthly SMUD bills. I  
8 have paid this tax in connection with paying each of my monthly bills in the year prior  
9 to the filing of this case in September 2022.

10 I declare under penalty of perjury under the laws of the State of California that  
11 the foregoing statements are true and correct to the best of my knowledge,  
12 information, and belief.

13 Executed on May 16, 2025 in Sacramento, California.

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18 ALFONSO NGUYEN  
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