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**UNITED STATES DISTRICT COURT**
**MIDDLE DISTRICT OF FLORIDA**
**FORT MYERS DIVISION**

CARLI MICHELLE HELLER,
Plaintiff,

v.

VINCENT MICHAEL HYLER;
JUDITH HYLER;
MICHAEL HYLER;
KALI S. PERKINS, individually;
PERKINS FAMILY LAW, PC;
BRIAN AIGNER, individually;
MARIANO GUZMAN, individually;
LIEUTENANT CHAPMAN (first name unknown), Badge No. 1302, individually;
CARMINE MARCENO, in his official capacity as Sheriff of Lee County, Florida; and
JOHN DOES 1 through 10,
Defendants.
_____/

Case No. 2:26-cv-3119-KCD-NPM

**VERIFIED COMPLAINT FOR DAMAGES AND DEMAND FOR JURY TRIAL**

Plaintiff Carli Michelle Heller, representing herself, alleges as follows:

## I. NATURE OF THIS ACTION

1. Plaintiff Carli Michelle Heller is the mother of J.J., a child born in 2024. On February 11, 2026, the Superior Court of California for the County of Mendocino filed Findings and Order After Hearing awarding her sole physical custody of J.J. and permitting her to live in Florida. She lived in Bonita Springs, Lee County, with J.J. Since August 19, 2026, J.J. has been kept from her.

2. The order used to take J.J. from her home was obtained without notice to her, on a sworn declaration in which Defendant Vincent Michael Hyler claimed he had surrendered his firearm. His own firearm receipt contradicts that sworn statement. That is firearm perjury, and it is where this case begins.

3. This action is for what the Defendants did to Plaintiff, in Lee County and in coordination with officials and a lawyer in California: taking J.J. from her Bonita Springs home on a no-notice order; taking him out of Florida before any order allowed it; refusing to enter him as a missing child; arranging, subpoenaing and preparing the deputy who had taken him to appear as Vincent Hyler's witness against her; and then, the evening after Plaintiff sent sworn criminal complaints to two prosecutors and a federal firearm referral to the Bureau of Alcohol, Tobacco, Firearms and Explosives, coming to her home on what she was told was a welfare check, after which she was arrested on a charge the State of Florida declined to pursue and held for days in a cold cell. The deputy who had taken J.J., and who had by then been noticed, subpoenaed and prepared as Vincent Hyler's own witness, was at her door that night. Plaintiff's claims arising from the arrest itself are reserved, as stated below, until the Sheriff's Office produces its complete records of that night.

4. Much of what is alleged about the coordination among the Defendants is taken from a single source: the itemized time records of Vincent Hyler's California lawyer, Defendant Kali S. Perkins, which she filed in the Mendocino County Superior Court on November 17, 2026, under penalty of

perjury, to support a request that Plaintiff be ordered to pay her fees. Those records are quoted below as her office recorded them. The next day, Defendant Perkins demanded that Plaintiff destroy every copy.

5. Plaintiff seeks money damages for the Defendants' own acts. She does not ask this Court to review, vacate, modify, or enforce any state-court order, to decide custody of J.J., or to issue a writ of habeas corpus.

## II. JURISDICTION, VENUE, AND DIVISION

6. This Court has subject-matter jurisdiction under 28 U.S.C. §§ 1331 and 1343(a)(3)–(4), because Plaintiff's federal claims arise under 42 U.S.C. § 1983 and the First and Fourteenth Amendments to the United States Constitution.

7. This Court will have supplemental jurisdiction under 28 U.S.C. § 1367(a) over any claims under Florida law added by amendment, because they form part of the same case or controversy as her federal claims.

8. Venue is proper in this District under 28 U.S.C. § 1391(b)(2), because a substantial part of the events giving rise to the claims occurred in Lee County, Florida: the taking of J.J. from Plaintiff's home on August 19, 2026; the subpoena and preparation of a Lee County deputy as a witness against Plaintiff, arranged by telephone calls into the Lee County Sheriff's Office; the refusal to enter J.J. as a missing child on September 11, 2026; and the entry into Plaintiff's home on the night of September 29–30, 2026, and her detention, the search of her telephone, her arrest, her confinement in the Lee County jail, and the prosecution that followed.

9. This action belongs in the Fort Myers Division because the events in Florida occurred in Lee County. M.D. Fla. Local Rule 1.04.

10. This Court has personal jurisdiction over Defendants Aigner and Marceno, who reside and act in Florida. It has personal jurisdiction over Defendant Vincent Hyler under § 48.193(1)(a)2., Florida Statutes, because he committed tortious acts within Florida: he verified and filed a petition in the Circuit Court for Lee County on August 17, 2026; he received J.J. in Lee County on August 19, 2026, after J.J. was taken from Plaintiff's home; and he then took J.J. out of Florida. It has personal jurisdiction over Defendants Kali S. Perkins and Perkins Family Law, PC under § 48.193(1)(a)2., Florida Statutes, because, by their own sworn records, they directed telephone calls to the Lee County Sheriff's Office, its court liaison, its captain on duty and its records department; caused a subpoena to be served on the Lee County Sheriff's Office in Florida; sent remote-appearance instructions to a Lee County deputy in Florida; and prepared that deputy by telephone to testify against Plaintiff, a Florida resident, in furtherance of the acts alleged below. It has personal jurisdiction over Defendants Judith Hyler, Michael Hyler, Guzman, and Chapman under § 48.193(1)(a)2., Florida Statutes, because each is a member of the conspiracy alleged below, and overt acts in furtherance of that conspiracy were committed in Florida.

## III. THE LIMITS ON THIS COURT'S POWER DO NOT REACH THESE CLAIMS

11. This action does not ask the Court to review or reject any state-court judgment. The Rooker-Feldman doctrine is confined to cases

brought by state-court losers complaining of injuries caused by state-court judgments rendered before the federal proceedings began and inviting the district court's review and rejection of those judgments. *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005). It is applied claim by claim, and it does not bar a claim for damages caused by a defendant's own unlawful conduct. *Behr v. Campbell*, 8 F.4th 1206, 1212–14 (11th Cir. 2021). Each claim here seeks damages for what the Defendants themselves did.

12. Abstention under the *Younger* doctrine is limited to three exceptional categories: state criminal prosecutions, civil enforcement proceedings akin to criminal prosecutions, and civil proceedings involving orders uniquely in furtherance of the state courts' ability to perform their judicial functions. *Sprint Commc'ns, Inc. v. Jacobs*, 571 U.S. 69, 73, 78 (2013). Plaintiff asks the Court to enjoin no state proceeding. The only prosecution of Plaintiff in Florida ended on October 26, 2026, when the State filed no information.

13. The domestic-relations exception divests the federal courts only of power to issue divorce, alimony, and child custody decrees, and it is a limit on diversity jurisdiction. *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992). Jurisdiction here rests on federal questions, and Plaintiff asks for no custody decree.

14. No judge is a defendant. The private Defendants — Vincent Hyler, Judith Hyler, Michael Hyler, and the Perkins Defendants — have no qualified immunity. *Wyatt v. Cole*, 504 U.S. 158, 168–69 (1992). Private persons who jointly engage with state officials in the challenged conduct act under color of

state law, even where an official with whom they act is immune. *Dennis v. Sparks*, 449 U.S. 24, 27–29 (1980); *Tower v. Glover*, 467 U.S. 914, 920 (1984).

## IV. PARTIES

15. Plaintiff Carli Michelle Heller is J.J.'s mother. She resides in Lee County, Florida. Her mailing address for papers in this action is P.O. Box 366326, Bonita Springs, Florida 34136.

16. Defendant Vincent Michael Hyler ("Vincent Hyler") is the putative father of J.J. He resides at or near 9501 Laughlin Way, Redwood Valley, Mendocino County, California.

17. Defendant Judith Hyler is Vincent Hyler's mother. She resides at 9501 Laughlin Way, Redwood Valley, California, where she was personally served on October 26, 2026, in Mendocino County Superior Court No. 26CV04599.

18. Defendant Michael Hyler is Vincent Hyler's father and Judith Hyler's husband. Plaintiff believes, and on that basis alleges, that he resides with Judith Hyler at 9501 Laughlin Way, Redwood Valley, California. On November 9, 2026, counsel wrote to Plaintiff that he had been retained by "Judy Hyler, Mike Hyler, and Vincent Hyler" in Mendocino County Superior Court No. 26CV04599.

19. Defendant Kali S. Perkins is an attorney licensed in California (State Bar No. 238461) and counsel of record for Vincent Hyler in Mendocino County Superior Court No. 25FL01030. She is sued in her individual capacity. Defendant Perkins Family Law, PC is a California professional

corporation with its office at 125 East Mill Street, Ukiah, California 95482, through which Ms. Perkins practices and whose employees performed the acts recorded in the time records quoted below. Together they are referred to as "the Perkins Defendants." At all relevant times the Perkins Defendants were private persons who acted jointly with the state-actor Defendants, as alleged below, and are therefore liable under 42 U.S.C. § 1983 as persons acting under color of state law.

20. Defendant Brian Aigner is a deputy of the Lee County Sheriff's Office, ID No. 2022180. He is sued in his individual capacity. At all relevant times he acted under color of state law.

21. Defendant Mariano Guzman is an investigator employed by the Mendocino County District Attorney's Office. He is sued in his individual capacity. At all relevant times he acted under color of state law.

22. Defendant Lieutenant Chapman (first name unknown; he declined to give it), Badge No. 1302, is employed by the Mendocino County Sheriff's Office. He is sued in his individual capacity. At all relevant times he acted under color of state law.

23. Defendant Carmine Marceno is the Sheriff of Lee County, Florida. He is sued in his official capacity only, as the final policymaker for the law-enforcement and detention operations of the Lee County Sheriff's Office, including the Lee County jail. Plaintiff's claims under Florida law against the Sheriff are reserved and will be brought, if necessary, after the notice required by § 768.28(6), Florida Statutes.

24. Defendants John Does 1 through 10 are persons whose names Plaintiff does not yet know. They include the deputies and the investigator of the Lee County Sheriff's Office who entered Plaintiff's home, detained her, searched her telephone, and arrested her on the night of September 29–30, 2026; the employees of the Lee County jail responsible for the conditions in which she was held; and any employee of the Mendocino County Sheriff's Office or District Attorney's Office who agreed with or assisted the named Defendants in the acts alleged. On information and belief, these include Jack Woida, a relative of the Hyler family who lives on the same road as the Hylers in Redwood Valley and is employed by the Mendocino County Sheriff's Office. Plaintiff will amend to name each of them when known.

## V. OTHER ACTORS AND OTHER ACTIONS

25. The state-court judges whose orders are described below are not named as defendants. Their acts are pleaded because they are part of the sequence of events. Plaintiff seeks no relief against any judge.

26. Vincent Hyler's Florida lawyer, Carrington Mead, is not named as a defendant in this complaint. His acts are pleaded because they are part of the sequence of events. Plaintiff reserves the right to amend.

27. Plaintiff's claims under California law against Vincent Hyler and Judith Hyler are pending in the Superior Court of California for the County of Mendocino, No. 26CV04599, and against Vincent Hyler, Judith Hyler, and Michael Hyler in No. 26CV04707. They are not repeated here.

## VI. FACTS

### A. The firearm perjury

28. In late November or early December 2024, a Remington shotgun came into Vincent Hyler's household. Plaintiff's own message of December 2, 2024, records it.

29. The seller showed the shotgun to Plaintiff and, in substance, said it was unregistered or unaccounted for. It was kept in the bedroom closet until January 2025, when Vincent Hyler moved it to Judith Hyler's residence at 9501 Laughlin Way.

30. The domestic violence restraining order entered against Vincent Hyler on March 20, 2025, in Mendocino County Superior Court No. 25FL01032 (Judicial Council form DV-110), lists his firearms at item 2 as "shot gun and other guns at mother's house." He was personally served by the Mendocino County Sheriff's Office and ordered to surrender all firearms within 24 hours. Plaintiff's declaration filed in that case on April 10, 2025, stated under penalty of perjury that as of April 3, 2025, he had not surrendered "the shotgun and other firearms he maintains at his mother Judy Hyler's residence."

31. Vincent Hyler's firearm receipt of April 15, 2025, lists two rifles, a Winchester and a Mauser, and answers "No" to owning any other firearm. No shotgun appears on any receipt. Text messages of April 22, 2025, show the Remington left off the receipt.

32. On August 12, 2026, in the declaration he filed to obtain the no-notice order described below, Vincent Hyler swore that he had surrendered "the firearm referenced in the 2025 directive." That sworn statement is false, and his own receipt shows it is false. Defendant Perkins prepared, filed and served that declaration, and has since billed her client for doing so.

**B. The Hyler household, and what Vincent Hyler said he would do — December 2024 to March 2025**

33. Michael Hyler paid Vincent Hyler's bar tabs, as Judith Hyler and Loren Hyler confirmed to Plaintiff. On December 25, 2024, when Plaintiff asked Michael Hyler and Judith Hyler to help with Vincent Hyler's drinking, Michael Hyler told her she needed to show Vincent Hyler more respect.

34. On March 6, 2025, the Ring camera in the living room at 9501 Laughlin Way recorded Vincent Hyler, holding J.J., going over backward at the table at 7:27:33 p.m. Pacific time, with J.J. in his arms, and knocking the table over. J.J. was back in Plaintiff's arms at 7:32:57 p.m. Plaintiff's declaration filed April 10, 2025, states that J.J. "began crying loudly," and that when she sent the footage to Judith Hyler and Vincent Hyler's sisters asking for help, "they responded as if it were merely amusing." On March 15, 2025, Vincent Hyler himself called it "that little video of me fallin' over drunk."

35. On March 15, 2025, a Ring camera at the Laughlin Way house recorded a 39-minute confrontation between Vincent Hyler and Plaintiff. J.J. was six months old.

36. At 00:02:05 of the recording, Vincent Hyler said: "The paperwork's filed … I'm goin' full custody. I know it's filed." At 00:02:29 he said: "My family's got money too." At 00:06:45 he said: "I tried to keep legality out of it 'til you called the cops."

37. At 00:27:58 he said: "Get a U-Haul — and you will be bein' served Monday." At 00:28:18 he said: "My location is turned off."

38. At 00:30:43 he said: "you're not in this county with any judges — you think I don't have family that's already been in and out of this shit … a little bit of familiarity — more than what you've got."

39. At 00:31:40 he said: "all I have to do is call the cops and you are gone — you're not a breastfeedin' mother — you don't have to take the boy with you — I know — I've done my homework." At about 3:00 p.m. he drove away with J.J.

40. On March 16, 2025, between 3:01:21 and 3:01:39 a.m. Pacific time, a doorbell camera recorded Vincent Hyler, with J.J. in his car, saying: "you're gonna let the boy in, and if you don't, I'm gonna fucking kill you."

41. That night, after Plaintiff called 911 and deputies of the Mendocino County Sheriff's Office responded, at about 11:44 p.m. Vincent Hyler took J.J. from his crib and left with the front door open. When Plaintiff reached Judith Hyler, Judith Hyler confirmed by text that J.J. was at her residence and declined to return him.

42. On Monday, March 17, 2025, Vincent Hyler filed a request for custody in Mendocino County Superior Court No. 25FL01030.

43. On March 20, 2025, Judith Hyler carried J.J. out of Plaintiff's home, on camera.

**C. The custody order Plaintiff holds**

44. On February 11, 2026, the Mendocino County Superior Court filed Findings and Order After Hearing stating: "Petitioner [Carli] is awarded sole physical custody of the minor child." The order permitted Plaintiff to reside with family members in Florida, required Vincent Hyler's visits to be supervised by Judith Hyler, and ordered that he "shall be clean and sober during all visits."

45. On September 10, 2026, the same court's signed order recited that on May 26, 2026, it had "reminded the parties that the FOAH issued on February 11, 2026, contained the standing orders for the parties to follow in both cases."

46. On September 22, 2026, Plaintiff's February 11, 2026 order was accepted for registration in the Circuit Court for Lee County, No. 26-DR-006457. On September 26, 2026, Vincent Hyler and Judith Hyler each signed for the notice of that registration. The registration was not contested, and it became final on October 16, 2026.

47. On July 6, 2026, Senior Judge James D. Sloan of the Circuit Court for Lee County, in No. 26-DR-031586, found that "Petitioner is a victim of domestic violence by Respondent, and/or Petitioner has reasonable cause to believe he/she is in imminent danger of becoming a victim of domestic violence by Respondent, and that there is immediate and present danger of

domestic violence to Petitioner or persons lawfully with Petitioner," and entered a temporary injunction.

**D. The order obtained without notice — August 11–12, 2026**

48. On July 6, 2026, the same day as the Florida injunction, Vincent Hyler filed papers in Mendocino seeking an order to show cause re contempt against Plaintiff. On August 11, 2026, at the contempt hearing, the Mendocino court found that Plaintiff had not been served with the order to show cause. Vincent Hyler's Florida lawyer, Carrington Mead, appeared remotely.

49. On August 12, 2026, Vincent Hyler applied ex parte. The court's register records the declaration regarding notice filed with that application as "NOTICE NOT GIVEN." Defendant Perkins's time records for August 11 and 12, 2026 show her office researching, drafting, editing and filing the application, and record that her office received the signed order the same day and sent it "to FL attorney and client for fu."

50. The order signed that day (Judicial Council form FL-305) gave Vincent Hyler temporary physical custody, limited Plaintiff to "Supervised virtual visitation only," and stated at item 6: "The child is to be retrieved from mother by law enforcement without notice to mother for fear she will abscond with the child."

51. The FL-305 states in print that its temporary emergency orders "expire on the date and time of the hearing" set for September 2, 2026, at 9:30 a.m., "unless extended by court order." Its boxes for domestic violence, sexual

abuse, and firearms were left blank. The domestic-violence presumption was not applied, although Vincent Hyler's own application attached the Lee County temporary injunction of July 6, 2026.

**E. The taking — August 17–19, 2026**

52. On August 17, 2026, Vincent Hyler, through Mr. Mead, filed a verified petition in the Circuit Court for Lee County, No. 26-DR-005826, to enforce the August 12 order.

53. On August 19, 2026, at 2:52 p.m., a Lee County judge signed the order and warrant Mr. Mead had drafted, without notice to Plaintiff. Its footer reads "Proposed Emergency Ex Parte Order and Child-Pickup Warrant." Its paragraph 8 states: "Until the Florida return hearing, Father shall not remove the Child from Florida without further order of this Court." Its paragraph 9 states: "No service or other communication shall be made to Mother before the Child is secured unless the Court later orders otherwise." Its service list reads: "Carli Michelle Heller, Respondent - SERVICE DEFERRED UNTIL AFTER THE CHILD IS SECURED." Its paragraph 16(d) states that it expires with the California order at the September 2, 2026 hearing "unless proof of a written extension is presented."

54. That evening, Lee County deputies took J.J. from Plaintiff's home in Bonita Springs and released him to Vincent Hyler. The reporting deputy was Defendant Aigner. About twelve deputies came. Plaintiff tried three times to hand over J.J.'s medical information, and each time it was refused. Deputies pressed her for the specialty formula she had paid for and told her

that if she did not give them more formula, she did not care about her son. The warrant itself provided that officers "may allow the Child's necessary clothing, medications, comfort items, and age-appropriate supplies to accompany him." Defendant Perkins's time records for that day read: "Emails with KP, CM and team re: retrieval of child!"

55. Defendant Aigner's report of August 19 recorded observations about Plaintiff that were unsupported by any test, any medic, any arrest, or any offense. Defendant Perkins's office reviewed that report on August 24, 2026 ("Review incident report from child pick up. Notate 3 officers that appeared"), served it on Plaintiff on August 31, 2026, as an exhibit, and Vincent Hyler relied on it to seek a psychological evaluation of Plaintiff in the Mendocino case.

**F. J.J. was taken out of Florida before any order allowed it**

56. The warrant set the return hearing for August 20, 2026, at 2:30 p.m., in Courtroom 4Q of the Lee County Justice Center. Plaintiff went. The courtroom had been changed, and by the time she found it the matter was over. No return hearing was ever held on notice to her. On August 21, 2026, at 9:55 p.m. Eastern time, Mr. Mead submitted a proposed order (Filing No. 255441316) reciting a "return hearing" that afternoon, of which Plaintiff had been given no notice. Its paragraph 3 read: "Father is AUTHORIZED to leave Florida and travel to California with the Child." The same proposed order recites that "Mother was personally served after the Child had been secured pursuant to the Florida Warrant," and again that "Mother was served after

the Child had been secured."

57. On August 26, 2026, at 1:00 p.m. Pacific time, J.J. was at a clinic in Ukiah, California. The clinic record is Vincent Hyler's own exhibit.

58. The order containing that authorization was signed on August 27, 2026, at 1:11 p.m. Eastern time, the day after J.J. was in Ukiah. Until then, paragraph 8 of the warrant forbade removing J.J. from Florida "without further order of this Court." Vincent Hyler removed J.J. from Florida in violation of paragraph 8 of the warrant he had obtained, before the order he himself had asked for was signed.

**G. The Perkins Defendants recruit, subpoena and prepare the deputy as Vincent Hyler's witness — August 26 to September 1, 2026**

59. On August 26, 2026, the same day J.J. was in Ukiah, Defendant Perkins filed in No. 25FL01030 a "Notice of Remote Appearance by PT Deputy Brian Aigner." "PT" is the register's abbreviation for Petitioner, Vincent Hyler. On August 28, 2026, an order "Regarding Remote Appearance by PT Deputy Brian Aigner" was entered.

60. On November 17, 2026, Defendant Perkins filed and served in No. 25FL01030 an amended declaration under penalty of perjury with a schedule, Exhibit M, of her office's time entries. She swore that "Time is recorded contemporaneously, in tenths of an hour, by the person performing the work," and that the descriptions "appear as billed." She assigned each entry to a lettered ground of her fee request. Her amended memorandum titles ground "F" "Ms. Heller's Conduct Toward This Court's Custody Orders Required An Emergency Order, Enforcement In Florida, And A Contempt Proceeding," and

ground "H" "Law-Enforcement Contacts Following Ms. Heller's Reports Required Counsel's Response." The first contact from Plaintiff that the memorandum identifies under ground H is September 3, 2026. The entries assigned to ground H begin on August 26, 2026.

61. Exhibit M records, for August 26, 2026: "Drafting remote appearance notice and proposed order for officer Brian Aigner" (entry 88, ground F); "begin prep for contempt hearing - comm w/ AS re: POS and re prep for 9/2 hearing and officer appearance" (entry 91, ground F, Defendant Perkins personally); "Finalize drafted RA and proposed order for officer" (entry 92, ground F); "Emails with Ody Process Serving to handle same day service of SDT for officer appearance" (entry 95, ground F); "Calls with Lee County Sherriffs office, court liason, captain on duty and records department regarding officer appearance and providing the police report from August 19 at the 9/2 hearing," 1.2 hours (entry 96, ground H); "Call with court liason and process server re: zoom link timing and providing further information" (entry 97, ground H); "confirmation call and email regarding service of sdt with Ody" (entry 99, ground F); "Discussion with KP re: POS and re prep for 9/2 hearing and officer appearance" (entry 102, ground F); and "Locate subpoena documents on court website. Prepare sdt for officer appearance and document production of report. Send to KP to review" (entry 103, ground H). The same schedule lists as a cost for August 26, 2026: "Process Serving: Subpoena to Lee County Sheriff Office for Deputy appearance — $225.00."

62. Exhibit M records, for August 27, 2026: "Provide remote appearance instructions to officer In FL for TECO hearing. P/C with court

liason re the same" (entry 110, ground F), and "Email zoom instructions to court liason for 9/2 appearance" (entry 113, ground H). For August 31, 2026: "Email to court liason re appearance" (entry 127, ground H) and "Email to deputy re: appt for prep ahead of hearing" (entry 137, ground H).

63. Exhibit M records, for September 1, 2026, the day before the hearing: "Call with Officer for preparation before hearings. Call with KP re the same," 0.9 hours (entry 140, ground H), and "Talk with KP re: officer prep and email officer to set appointment" (entry 144, ground H).

64. From August 26, 2026, forward, Defendant Aigner was Vincent Hyler's noticed and subpoenaed witness against Plaintiff, prepared by Vincent Hyler's lawyer, in the same matter in which he had taken J.J. from her home. Every one of those acts was performed by the Perkins Defendants, for Vincent Hyler, and billed to him.

**H. September 2, 2026**

65. The clerk's minutes of September 2, 2026, state that the court "must respond to" Plaintiff's August 31 challenge to the judge, "which will not occur this morning"; that "Both the Motion and the Order to Show Cause are continued to September 15, 2026"; and that "The pending ex parte will be deferred to Judge Pekin pending recusal." The minutes record no extension of the August 12 orders.

66. The same day, Plaintiff's application to be told where J.J. is was denied.

**I. The Mendocino County offices**

67. On September 3, 2026, Plaintiff reported to the Mendocino County Sheriff's Office that J.J. had been taken out of Florida and that she had not been told where he was.

68. On September 7, 2026, a Mendocino County Sheriff's deputy took Plaintiff's report under California Penal Code § 278.5, Report No. 2026-16870.

69. Exhibit M records that on September 3, 2026, Defendant Perkins personally had a "phn call with investigator Mariano from MCSO re: heller report of kidnap" (entry 151), and that her office discussed "call from investigator Mariano from MCSO re: opp report of kidnap" (entry 153). Her amended declaration states that on that date "Investigator Mariano of the Mendocino County Sheriff's Office called me about a report by Ms. Heller that the child had been kidnapped." Plaintiff believes, and on that basis alleges, that "investigator Mariano" is Defendant Mariano Guzman.

70. On September 8, 2026, at 2:44 p.m., Defendant Guzman spoke with Plaintiff by telephone. Plaintiff made verbatim notes of what was said.

71. Defendant Guzman told Plaintiff that the other side had spoken with him: "Because they've told me you have not." He told her: "You're at home. All you're doing is every day writing stuff to file in court. That's all you're doing." And: "Maybe you had to think about hiring a lawyer."

72. Defendant Guzman told Plaintiff: "I'm the one that's assigned this case, and there's nothing to do with this case. The judge has already made an order. The father has custody. You have video visitation." When Plaintiff said the order had expired on September 2, he answered: "You're incorrect." Asked

for the order he relied on, he said: "You can look it up in the portal." Defendant Guzman acted after Plaintiff told him that "The only order that is in place is the February 11th one."

73. Exhibit M records that on the same day, September 8, 2026, Defendant Perkins personally made a note to "check in w/ client via portal re status, discuss addl false police report made and calls" (entry 157), and that her office reviewed the "client portal re addl false police report made and calls, discuss with KP" (entry 158). Her amended declaration states: "On September 8, 2026, Mr. Hyler reported to my office a further police contact and calls." The next day, September 9, her office recorded: "Begin drafting sanctions motion. Review client messages, OPP filings and accusations for inclusion. Message to client re: police report needed and updates re visit from police" (entry 159). From September 8, 2026, forward, the Perkins Defendants' own records describe Plaintiff's reports to law enforcement as "false police report[s]."

74. Plaintiff's reports were not false. Each concerned J.J.'s removal from Florida in violation of paragraph 8 of the Lee County warrant, before any order permitted it, and his being kept from the parent who held the only custody order in force, at a location she was not told. In June 2026, at a hearing in No. 25FL01030 at which Plaintiff was represented by counsel, Defendant Perkins had repeatedly called Plaintiff a kidnapper for living with J.J. in Florida, where the February 11, 2026 order expressly permitted her to live. Three months later her office recorded Plaintiff's reports of a removal in violation of an actual court order as "false police report[s]" and set about

gathering police records "for sanctions motion" against her.

75. Exhibit M records that between September 15 and September 23, 2026, the Perkins Defendants gathered police records about Plaintiff for use against her: "status of police report docs for sanctions motion" (entry 169, Defendant Perkins personally); "Emails with team re incident reports" (entry 170); "comm w/ AS re: sanctions motion, comm w/ JG re; fu w/ da" (entry 174, Defendant Perkins personally); "Emails with team re incident reports and access them for motion" (entry 175); "Drafting request for police records for UPD re welfare check/ police showing up at clients house" (entry 176); "review sdt for officer for personal app and fu comm w/ PFL team re: addl sdts for out of state officers at hearing" (entry 178, Defendant Perkins personally); "Sending records request to Mendocino County Sheriffs Office for incident report/ wellness check" (entry 180); "Discuss witnesses with KP. call to officer re additional appearance" (entry 182); and "fu comm w/ PFL team re: records request for police reports for 12/9 hearing" (entry 184, Defendant Perkins personally).

76. On September 28, 2026, at 12:37 p.m. and 3:55 p.m. Eastern time, Plaintiff sent two written requests to the Mendocino County Sheriff's Office asking that a deputy take J.J. into protective custody under California Penal Code § 279.6, or conduct a welfare check on him at 9501 Laughlin Way, citing Report No. 2026-16870.

77. Shortly before 4:18 p.m. Eastern time that day, Defendant Chapman telephoned Plaintiff. He told her he had spoken with Investigator Guzman, that the Sheriff's Office "would not be doing anything either," and

that it was "taking the same position as the District Attorney's Office." When Plaintiff gave the recorded death threat and the unsurrendered firearm as grounds, he said those were "things that happened in the past." He gave his badge number, 1302, only after being asked at least twice, and he would not give his first name. At 5:46 p.m. Eastern time, Plaintiff reported his refusal in writing to the Mendocino County Sheriff's Office, with copies to the Mendocino County District Attorney's Office and to Lt. John Desrosiers of the Lee County Sheriff's Office.

78. No deputy has reported to Plaintiff the result of any welfare check on J.J. Yet welfare checks occurred, and their results went to Vincent Hyler's lawyer and to Defendant Guzman. Exhibit M records, on September 21, 2026, "Drafting request for police records for UPD re welfare check/ police showing up at clients house" (entry 176), and on September 29, a "Phone call with DA Guzman, following up with clients message regarding 2nd welfare check with Lt. Chapman" (entry 194). Defendant Perkins's amended declaration states that on September 29, 2026, "my office spoke with Deputy District Attorney Guzman following a second welfare check at Mr. Hyler's home."

**J. The Lee County Sheriff's Office refuses to enter J.J. as a missing child**

79. On September 11, 2026, at about 1:00 a.m., Plaintiff called the Lee County Sheriff's Office to report J.J. missing and endangered. Defendant Aigner, the deputy who had taken J.J. on August 19 and who had been noticed, subpoenaed and prepared as Vincent Hyler's witness between August 26 and September 1, came to her door on that report. Plaintiff recorded what

he said. He told her: "He's not missing, so he won't be entered into the system," and "A police report is for a crime. There's no crime that was committed." He took no missing-child report. The only number he gave her, with his badge number, 22180 (ID No. 2022180), was a case number for his own response, 26494309.

80. At 11:04 a.m. that day, his lieutenant, Lt. John Desrosiers, wrote that there was "no further law-enforcement action for the Lee County Sheriff's Office to take" and that the office was "unable to enter your son as a missing person."

81. Between September 11 and September 28, 2026, Plaintiff sent the Lee County Sheriff's Office eleven written communications. They included a sworn missing-child report under § 937.021, Florida Statutes, sent on September 24, and its follow-ups. Two of them were addressed to Sheriff Marceno by name. Each concerned the office's own refusal to enter J.J. as a missing child and named the responding deputy by badge number from the first morning. The office's only substantive written reply was Lt. Desrosiers's e-mail of September 11.

82. On September 15 and 16, 2026, the Office of the State Attorney for the Twentieth Judicial Circuit wrote that its role is "strictly to prosecute cases brought to us by our local police agencies in almost all circumstances," that "This is a civil matter being handled in the court system," and that a criminal complaint should be presented to the law-enforcement agency.

**K. The sworn complaints of September 28 and the arrest of September 29–30**

83. On September 28, 2026, at 8:17 a.m. Eastern time, Plaintiff sent the Lee County Sheriff's Office her fourth written request, "for Sheriff Marceno," for confirmation that J.J. had been entered as a missing child. It recited her three prior requests and stated: "None has been answered."

84. On September 28, 2026, at 5:31 p.m. Eastern time, Plaintiff sent a sworn criminal complaint to the Mendocino County District Attorney requesting felony charges against Vincent Hyler and Judith Hyler. It was copied to Lt. Desrosiers of the Lee County Sheriff's Office.

85. At 5:31 p.m. the same day, Plaintiff sent Supplemental Sworn Complaint No. 3 to the State Attorney for the Twentieth Judicial Circuit, requesting a written charging decision by September 29, 2026. It was copied to Lt. Desrosiers.

86. At 5:32 p.m. the same day, Plaintiff sent a referral to the Bureau of Alcohol, Tobacco, Firearms and Explosives concerning Vincent Hyler's possession of a firearm while subject to a domestic-violence protective order, with a two-year-old at the address.

87. On September 29, 2026 — the day deputies came to Plaintiff's home, where they arrested her at 12:51 a.m. — the Perkins Defendants' office recorded a "Phone call with DA Guzman, following up with clients message regarding 2nd welfare check with Lt. Chapman. Guzman confirming he will reach out to Sheriff's office, and spoke about a restraining order against Heller. No criminal charges for false reporting against Heller" (entry 194).

That is: that same day, Vincent Hyler's lawyer's office, following up on its "clients message" about the second welfare check, spoke with a District Attorney's investigator about a restraining order against Plaintiff and about criminal charges against Plaintiff, and the investigator undertook to "reach out to Sheriff's office."

88. According to the probable-cause statement later produced to Plaintiff, on September 29, 2026, the Lee County Sheriff's Office Intelligence Unit was notified, through FBI Guardian Tip No. 1414310, of statements attributed to Plaintiff's e-mail account, made on September 26 and 27, 2026, in a private session with an artificial-intelligence application that Plaintiff used as a personal diary. The statement records that deputies of the 4th Precinct responded to her home and that Intelligence Detective Thomas Steven Alejo (ID No. 2015065) then "responded to the residence and assumed the investigation." The deputies who came first are not named in it.

89. That evening, September 29, 2026, deputies of the Lee County Sheriff's Office appeared outside Plaintiff's lanai. Defendant Aigner was among them. He told Plaintiff he was there to "exonerate" her, that he knew only of "some posts," that he knew she was "going through a lot," and that there were "concerning posts" she should be able to clear up. He said a crime was being looked into as well, but he presented the visit as a welfare check about her. He called the material posts, then messages, said it was maybe on social media, and asked for her Twitter handle. Plaintiff believed her accounts had been hacked.

90. Relying on what Defendant Aigner told her, Plaintiff admitted three deputies into her home and her bedroom. She would not have admitted them had she been told the purpose of the visit.

91. After she admitted them, Plaintiff was placed in a locked patrol car for about two and a half hours, in the cold, before an investigator arrived and told her that it was not a welfare check. The probable-cause statement records that the 4th Precinct deputies "made contact with Heller" and that "Heller was detained without incident" before Detective Alejo arrived. She was not permitted to lock or even close her door, or to put her dogs away; deputies went back inside themselves to retrieve her glasses. She was then held for one to two more hours at the Sheriff's Office investigations building, in the middle of the night, and made to unlock her telephone. The deputies questioned Plaintiff, and obtained her statements and her consent to enter her home, before any Miranda warning was given. When she was read her rights, the encounter had been represented to her as a welfare check, about "concerning posts" she could clear up, by an officer there to "exonerate" her; on that representation she did not ask for a lawyer, and spoke. She was deceived about the purpose of the encounter, and by that deception and the conduct of the arrest she was, in substance, deprived of the protection the Miranda warning exists to give. The probable-cause statement sworn by Detective Alejo states that he read her a Miranda warning from an agency-issued card when he arrived at the residence.

92. Plaintiff was then arrested and charged under § 836.10, Florida Statutes, Lee County Case No. 26-CF-017549. The booking report records the

arrest at 12:51 a.m. on September 30, 2026, at her home, with no weapon seized, and a bond of $10,000. The probable-cause statement was sworn by Detective Alejo, not by Defendant Aigner; it names a reviewing supervisor, Joshua Doragh (ID No. 2014093). At first appearance on October 1, 2026, the court set bond at $75,000, found Plaintiff indigent and appointed the Public Defender, and ordered GPS monitoring with exclusion zones. No medic was called. The Sheriff's Office kept her telephone. Her dogs were taken to the county shelter; recovering them cost about $600.

93. Exhibit M records that on September 30, 2026, Defendant Perkins personally recorded "comm w/ client and team re: harassment by OPP re: welfare checks and request for fu w/ Guzman re: same" (entry 199), and that on October 1, 2026, she recorded "fu comm re: comm w/ DA and sheriff's office" (entry 205) and "review comm w/ DA office re: same, and her filings" (entry 206). "OPP" is Plaintiff. Exhibit M further records, for October 6, 2026: "receipt and review of incident report from police" (entry 253) and "Following up with sherif department incident reports, submitting pra request" (entry 254).

94. Plaintiff made no true threat. What was reported to the Sheriff's Office was written in a private session with an application she used as a diary; it was not addressed or sent to any person; she told Detective Alejo that she owned no firearm and had no intention of carrying out anything she had written; the booking report records no weapon seized; and the probable-cause statement, produced to Plaintiff on November 18, 2026, through her criminal-defense counsel, records her statement that she believed the

application was a private space. The State of Florida reviewed the arrest and on October 26, 2026 declined to file any charge.

95. Plaintiff's claims arising from the entry into her home, her detention, the search of her telephone, her arrest, and her prosecution on September 29 and 30, 2026 — against Defendant Aigner, Detective Alejo, and Does 1 through 10 — are reserved. On October 18, 2026, Plaintiff requested in writing that the Lee County Sheriff's Office preserve and produce its records of that night; its complete records, including the identities of the responding deputies, have not been produced. Plaintiff will seek leave to add those claims when they are. The events of that night are pleaded here because they are part of the sequence alleged in Count II and of the harm alleged below.

**L. The jail**

96. Plaintiff was booked into the Lee County jail on the night of September 29–30, 2026. She is immunocompromised. For the days she was held, until her release on or about October 1, 2026, she was kept in a cell that was cold, and she was freezing throughout. Basic needs were not met. On information and belief, the temperature at which she was held was the ordinary condition of the facility and not an accident of her cell.

97. Plaintiff attended first appearance from the jail. She watched the bail set for the other people in the room, and hers was the highest, although she had no record of any kind and had harmed no one: $75,000. Her parents bonded her out. Had they not been able to, she would have remained in that cell until at least November 2, 2026, the arraignment date set in the order.

She was released on conditions that included a GPS ankle monitor, and was charged a booking fee.

98. Plaintiff's arrest was reported on local television the next day, and online harassment followed.

99. On October 5, 2026, Google notified Plaintiff that it had received legal process issued by the Lee County Sheriff's Office compelling the release of information related to her account, hellercwp@gmail.com, bearing reference numbers 26-530248 and 26-CF-017549. The copy Google sent her on October 12 is a subpoena duces tecum issued in the name of the State Attorney for the Twentieth Judicial Circuit, marked "DO NOT DISCLOSE," for the "Subscriber information, account information and payment information" of that account "from September 15, 2026 to September 29, 2026," with the records to be delivered to a Lee County Sheriff's Office detective. That is the account from which Plaintiff sent every complaint described above to the Sheriff's Office, the State Attorney, the Mendocino County District Attorney, and the Bureau of Alcohol, Tobacco, Firearms and Explosives. It is also her service address in the Florida and California proceedings and her channel to her counsel.

100. On October 26, 2026, the State of Florida gave notice that no information would be filed in Case No. 26-CF-017549. The prosecution ended without a conviction. The ankle monitor was still on Plaintiff the next day, and as of November 18, 2026, the Sheriff's Office still held her telephone.

**M. September to November 2026**

101. On September 15, 2026, Defendant Perkins stated from the floor that the August 12 orders were extended. No motion was before the court. Plaintiff objected on the record. No written order followed that day.

102. On October 14, 2026, Defendant Perkins declared under penalty of perjury that at the hearing on October 6, 2026, "the Court orally ordered on the record that all temporary orders remain in effect," and that her client "does not request that the Court record an extension as having been made on a date when no such ruling occurred." Her declaration identifies no ruling on September 15. Her opposition filed with it states that on October 6 "the Court made an oral ruling rather than sign the Order."

103. On October 15, 2026, the court signed an order captioned "[PROPOSED] ORDER EXTENDING AUGUST 12, 2026 TEMPORARY EMERGENCY CUSTODY ORDERS," prepared by Defendant Perkins's office. It states that the August 12 orders "were extended by the Court at the continued hearing on September 15 2026," that they "have remained in full force and effect without interruption since August 12," that "That ruling was not reflected in the minute order," and that "The minute order for September 15, 2026 is corrected." The same day, Plaintiff's request for J.J.'s immediate return was denied.

104. On October 23, 2026, Plaintiff asked Defendant Perkins twice in writing where J.J. is. The reply did not say.

105. On October 26, 2026, Judith Hyler was personally served at 9501 Laughlin Way, and Vincent Hyler through her, with the summons and

complaint in No. 26CV04599. The same day, Defendant Perkins filed a request that Plaintiff be ordered to pay Vincent Hyler's attorney's fees and costs as a sanction under California Family Code section 271. As amended on November 17, 2026, it asks for $33,818.85.

106. On October 27, 2026, Plaintiff served Defendant Perkins with a motion for sanctions under California Code of Civil Procedure section 128.7 identifying statements in that fee request that had no evidentiary support. On November 17, 2026, Defendant Perkins served an amended memorandum and amended declaration. The amended memorandum states that it "narrows or withdraws several statements" and "replaces the redacted invoices with an itemized schedule of the fees requested" — Exhibit M, quoted in this complaint. It asks the court to make Plaintiff pay for the entries assigned to ground H, and cites, for the incident reports, an "Exh. GG" that is not among the exhibits she filed.

107. At 12:11 p.m. Pacific time on November 17, 2026, fifty-five minutes before those amended papers were served on her, Plaintiff wrote to Defendant Perkins and to Colin Morrow, counsel for Vincent Hyler, Judith Hyler and Michael Hyler in No. 26CV04599, that she anticipated filing a federal civil action arising from events between August 12 and October 26, 2026. She asked that their clients preserve all communications with "Deputy Brian Aigner, Lieutenant Chapman, Investigator Mariano Guzman, the Lee County Sheriff's Office, the Mendocino County Sheriff's Office and the Mendocino County District Attorney's Office," and that Defendant Perkins "likewise preserve your office's communications with those individuals and

offices, and with the Mendocino Superior Court and its staff, concerning this matter, including the proposed order signed October 15, 2026, and related calendars, call logs and billing entries."

108. On November 18, 2026, Defendant Perkins wrote to Plaintiff that Exhibit M "inadvertently included billing entries with the work descriptions unredacted." She demanded that Plaintiff not "use, quote, summarize, or refer to the unredacted descriptions, or anything learned from them, in any filing, hearing, or communication in this case, in any appellate or Supreme Court proceeding, in any Florida proceeding, or anywhere else," and that Plaintiff "Delete or destroy every copy of the November 17, 2026 amended declaration and exhibits in your possession, including the email attachment, downloads, and printouts, once you receive the corrected version described below." The day before, she had sworn that Exhibit M's descriptions "appear as billed, except that eleven are partly redacted." Plaintiff answered the same day that she would not destroy any copy of papers that are part of the court's file.

**N. J.J. is kept from his mother**

109. Since August 19, 2026, J.J. has been kept from Plaintiff. No Defendant has told her where he lives or how he is.

110. Plaintiff believes, and on that basis alleges, that J.J. has been kept at 9501 Laughlin Way, Judith Hyler's property, since August 2026.

111. On July 6, 2026, Vincent Hyler's memorandum, filed by Defendant Perkins, represented to the Mendocino court that during his visitation "there would be a family member present, Petitioner's mother or

father, at all times." Plaintiff believes, and on that basis alleges, that since August 2026 Michael Hyler and Judith Hyler have kept J.J. in their home with Vincent Hyler and have joined in keeping from Plaintiff where J.J. is and how he is.

112. Exhibit M records that the Perkins Defendants' call with Defendant Guzman on September 29, 2026, followed up on a "clients message" regarding the "2nd welfare check" (entry 194). Plaintiff believes, and on that basis alleges, that Judith Hyler and Michael Hyler took part in the communications with Vincent Hyler's lawyer that preceded that call. Plaintiff identifies this allegation as one likely to have evidentiary support after a reasonable opportunity for discovery of those communications. Fed. R. Civ. P. 11(b)(3).

113. On November 16, 2026, Plaintiff asked in writing to see J.J. in person. Defendant Perkins refused in writing the same evening: "Your request for in-person visitation is denied because the current order does not allow you any in person visitation with JJ." Five months earlier, according to Defendant Perkins's own memorandum of July 6, 2026, the Mendocino court had issued, on June 11, 2026, a temporary emergency (ex parte) order requiring Plaintiff to make J.J. available to Vincent Hyler for visitation in Florida from June 17 through June 24, 2026.

**O. Harm**

114. As a direct result of the acts alleged, Plaintiff has been deprived of her custody of her son, and has lost his care and companionship, since August

19, 2026. Before that day, she had arranged his care for his developmental delays: three therapy sessions a week, two of occupational therapy and one through Florida's Early Steps program, with a daily home program and pediatric care. Since then, she has been kept from his care, and the care she arranged for him in Florida stopped. She has not been told where he sleeps.

115. She admitted deputies into her home and her bedroom on being told the visit was a welfare check; was held in a locked car in the cold; made to unlock her telephone; arrested; booked; held for days, immunocompromised, in a cold cell; put before a judge with the highest bail in the room; released only because her parents could pay; fitted with an ankle monitor that stayed on after the State declined to charge her; and separated from her telephone, which the Sheriff's Office still holds. Her arrest was broadcast on local television. The account from which she had petitioned every agency for help became the object of legal process.

116. She has suffered severe emotional distress and harm to her health. She has spent money and time on proceedings in two states to locate her son and to answer the proceedings brought against her. She continues to suffer these harms every day J.J. is kept from her.

## VII. CLAIMS FOR RELIEF

Plaintiff pleads four counts now. Her claims arising from the entry, detention, search, arrest and prosecution of September 29 and 30, 2026, under the First and Fourth Amendments and Florida law, are reserved as stated above and will be brought by amendment when the Lee County

Sheriff's Office has produced its records of that night. Plaintiff does not now plead a claim under 42 U.S.C. § 1985(3), which requires "some racial, or perhaps otherwise class-based, invidiously discriminatory animus behind the conspirators' action," *Griffin v. Breckenridge*, 403 U.S. 88, 102 (1971); she reserves the right to seek leave to add one.

**COUNT I — 42 U.S.C. § 1983: Fourteenth Amendment, deprivation of Plaintiff's custody of her son and of the right to familial association, without due process of law (against all individual Defendants and the Perkins Defendants)**

117. Plaintiff incorporates paragraphs 1 through 116.

118. A parent has a liberty interest, protected by the Due Process Clause of the Fourteenth Amendment, in the care, custody, and control of her child. *Troxel v. Granville*, 530 U.S. 57, 65 (2000) (plurality opinion). That interest includes a parent and child living together without governmental interference.

119. Plaintiff's interest is not abstract. She held, and holds, the order of the Mendocino County Superior Court of February 11, 2026, awarding her sole physical custody of J.J. The Due Process Clause of the Fourteenth Amendment forbade depriving her of that custody without notice and an opportunity to be heard. Defendants deprived her of it on an order obtained without notice to her, carried out in her own home on a warrant that deferred any service on her until J.J. was secured, and have kept J.J. from her ever since, without her ever having been heard before the deprivation.

120. Defendants Aigner, Guzman, and Chapman acted under color of state law. Vincent Hyler, Judith Hyler, Michael Hyler, and the Perkins Defendants acted under color of state law because they were willful participants in joint action with state officials. *Dennis v. Sparks*, 449 U.S. 24, 27–28 (1980). After hearing from Vincent Hyler's side, Defendant Guzman adopted their position as his own and closed Plaintiff's report: "The father has custody." Defendant Chapman then adopted Defendant Guzman's position and told Plaintiff the Sheriff's Office would do nothing; the welfare check that followed, recorded by the Perkins Defendants as the "2nd welfare check with Lt. Chapman," was reported to Vincent Hyler's lawyer and to Defendant Guzman, not to Plaintiff. Defendant Aigner, the deputy who took J.J., became Vincent Hyler's noticed, subpoenaed and prepared witness on the day J.J. was in Ukiah, and then refused to enter J.J. as a missing child. The Perkins Defendants arranged each of those contacts, by their own sworn account.

121. By the acts alleged, Defendants intentionally deprived Plaintiff of her relationship with her son. Those acts include obtaining a no-notice retrieval order on a sworn firearm statement contradicted by Vincent Hyler's own receipt; taking J.J. out of Florida in violation of paragraph 8 of the warrant, before any order allowed it; refusing to enter J.J. as a missing child; telling Plaintiff that nothing would be done, and withholding from her the result of the welfare check that followed; and keeping J.J. from his mother and concealing where he is. Each was done with the agreement and assistance of the state-actor Defendants.

122. Defendants acted intentionally, or with reckless indifference to Plaintiff's rights.

**COUNT II — 42 U.S.C. § 1983: Conspiracy to deprive Plaintiff of her constitutional rights (against all individual Defendants and the Perkins Defendants)**

123. Plaintiff incorporates paragraphs 1 through 116.

124. Defendants reached an understanding to deprive Plaintiff of her rights under the First and Fourteenth Amendments. The understanding is shown by the dated sequence alleged above:

(a) the plan Vincent Hyler stated on March 15, 2025: "all I have to do is call the cops … you don't have to take the boy with you … I've done my homework"; "you're not in this county with any judges";

(b) the no-notice order of August 12, 2026, obtained on his firearm perjury, prepared and filed by the Perkins Defendants;

(c) the taking of August 19, 2026, in Lee County, on a warrant that deferred any service on Plaintiff until J.J. was secured, recorded by the Perkins Defendants the same day as "retrieval of child!";

(d) J.J. in Ukiah on August 26, in violation of paragraph 8 of the warrant, before the travel order of August 27;

(e) the same deputy noticed, subpoenaed and prepared as Vincent Hyler's witness by the Perkins Defendants between August 26 and September 1, through calls into the Lee County Sheriff's Office and to the deputy himself;

(f) the investigator speaking with Vincent Hyler's lawyer on September 3 and then declaring "The father has custody" to Plaintiff on September 8;

(g) the Perkins Defendants recording Plaintiff's reports as "false police report[s]" on September 8, beginning a sanctions motion on September 9, and gathering police records about her, with a noted follow-up with the District Attorney, through September 23;

(h) the same deputy refusing to enter J.J. as missing on September 11;

(i) the Sheriff's lieutenant "taking the same position as the District Attorney's Office" on September 28;

(j) the results of the welfare checks going to Vincent Hyler's lawyer and to Defendant Guzman, and never to Plaintiff;

(k) the Perkins Defendants' call with Defendant Guzman on September 29 about a restraining order and criminal charges against Plaintiff, and his undertaking to "reach out to Sheriff's office";

(l) the arrest of Plaintiff that evening, the evening after her sworn complaints against Vincent Hyler and Judith Hyler were sent, with the same deputy at her door; and

(m) on information and belief, a relative of the Hyler family, Jack Woida, inside the Mendocino County Sheriff's Office throughout.

125. Each Defendant shared the common objective of keeping J.J. from his mother and silencing her complaints, and each committed at least one overt act in furtherance of it, as alleged above.

126. The Perkins Defendants' own sworn time records document the communications among the private and public participants: with the Lee County Sheriff's Office, its captain on duty, its court liaison and its records department, and with the deputy whose appearance they arranged, subpoenaed and prepared, before the September 2 hearing; with the District Attorney's investigator about Plaintiff's report that J.J. had been taken, on September 3; a noted follow-up with the District Attorney, on September 17; with the Mendocino County Sheriff's Office and the Ukiah Police Department for records about Plaintiff, in September and October; and with Defendant Guzman, on September 29, about a restraining order against Plaintiff and about criminal charges against her, with Defendant Guzman confirming he would reach out to the Sheriff's Office.

127. The conspiracy caused the deprivation of Plaintiff's constitutional rights described in Count I and the harms alleged above.

**COUNT III — 42 U.S.C. § 1983: Fourteenth Amendment, conditions of confinement of a pretrial detainee (against Does 1–10 and Defendant Marceno, official capacity)**

128. Plaintiff incorporates paragraphs 1 through 116.

129. From the night of September 29–30, 2026, until her release, Plaintiff was a pretrial detainee in the Lee County jail, and the Fourteenth Amendment forbade punishing her or holding her in conditions that posed a substantial risk of serious harm to her health.

130. Plaintiff is immunocompromised. She was held in a cell kept cold enough that she was freezing for the days she was there, and her basic needs

were not met. Those conditions posed a substantial risk of serious harm to her, and the Doe Defendants responsible for her confinement knew of or recklessly disregarded that risk and took no reasonable step to abate it.

131. On information and belief, the conditions in which Plaintiff was held were the customary conditions of the Lee County jail, maintained or tolerated by the Sheriff as final policymaker for the jail, such that the Sheriff's custom was the moving force behind the deprivation.

**COUNT IV — 42 U.S.C. § 1983: Liability of the Sheriff of Lee County (against Defendant Marceno, official capacity)**

132. Plaintiff incorporates paragraphs 1 through 116.

133. A local government is liable under § 1983 when execution of its policy or custom inflicts the injury; it is not liable solely because it employs a wrongdoer. *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658, 691, 694 (1978). The deprivations of Plaintiff's rights were caused by the policy or custom of the Lee County Sheriff's Office, and were ratified by its policymakers, in that: (a) the office refused, in writing, to enter J.J. as a missing child despite a sworn report under § 937.021, Florida Statutes, which provides that a law enforcement agency "may not require a reporter to present an order that a child be taken into custody or any other such order before accepting a report that a child is missing"; (b) the office received eleven written complaints, two addressed to the Sheriff by name, naming the responding deputy, and answered none of them in writing after September 11, 2026; and (c) the office held her, immunocompromised, in a cold cell for days under conditions that

were its ordinary conditions. The office's conduct on the night of September 29–30, 2026, alleged in Part K, is pleaded as fact; Plaintiff's claims against the Sheriff arising from it are reserved, as stated in Part K.

## VIII. PRAYER FOR RELIEF

Plaintiff asks the Court to enter judgment against each Defendant, jointly and severally as the law allows, for:

(1) compensatory damages in an amount to be proven at trial;

(2) punitive damages against each individual Defendant and against the Perkins Defendants in an amount to be proven at trial;

(3) the costs of this action, and reasonable attorney's fees under 42 U.S.C. § 1988 for any counsel who appears for Plaintiff;

(4) pre-judgment and post-judgment interest as allowed by law; and

(5) any other relief the Court finds just that does not review, modify, or enforce a state-court custody order.

## IX. DEMAND FOR JURY TRIAL

Plaintiff demands a jury trial on all issues so triable. Fed. R. Civ. P. 38(b).

Dated: November 19, 2026



CARLI MICHELLE HELLER
Plaintiff, self-represented
P.O. Box 366326
Bonita Springs, Florida 34136
hellercwp@gmail.com
(410) 507-8198

**VERIFICATION**

I, Carli Michelle Heller, declare: I am the Plaintiff in this action. I have read this Verified Complaint. The facts stated in it are true of my own knowledge, except those stated on information and belief, and as to those I believe them to be true. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. 28 U.S.C. § 1746.

Executed on November 19, 2026, at Bonita Springs, Florida.



CARLI MICHELLE HELLER