

## PUBLICATION UPDATE

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# Matthew Bender Practice Guide: California Civil Appeals and Writs

Publication 1758

Release 14

October 2020

### HIGHLIGHTS

#### 2020 Midyear Update for Recent Judicial Decisions and Rules of Court.

- This publication has been updated with the latest 2019 and 2020 judicial decisions, as well as changes to the Rules of Court, including emergency court rules. For a more detailed summary of the changes incorporated into the publication in this release, see below.

#### APPELLATE COURT SYS- TEM AND STANDARDS OF AP- PELLATE REVIEW

**Harmless Error.** In re Al.J. (2019) 44 CA5th 652, 257 CR3d 366, points out that the test for harmless error is essentially the converse of the test for prejudice necessary for reversible er-

ror. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[1][a][i].

**Harmless Error.** In re M.S. (2019) 41 CA5th 568, 254 CR3d 162, holds that the harmless error rule does not apply where the trial court erroneously set a selection and implementation hearing under W&I Code § 366.26 after the trial court denied reunification services under W&I Code § 361.5(b)(1). See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[1][a][i].

**Harmless Error.** In re Marriage of Kent (2019) 35 CA5th 487, 247 CR3d 466, determined that a judgment or order in excess of the trial court's jurisdiction is not subject to harmless error analysis. See Ch. 2, Appellate Court System and Stan-

dards of Appellate Review, 2.13[1][a][i].

**Harmless Error.** LAOSD Asbestos Cases (2019) 35 CA5th 1088, 248 CR3d 219, concludes that a trial court's failure to instruct jury pursuant to CACI Nos. 400 and 401, and its misreading of instructions given, was harmless. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[1][a][i].

**Harmless Error.** Alexander v. Cmty. Hosp. of Long Beach (2020) 46 CA5th 238, ruled that a series of trial errors, though each is independently harmless, may in some circumstances rise by accretion to the level of reversible and prejudicial error. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[1][a][ii].

**Invited Error.** Hood v. Gonzales (2019) 43 CA5th 57, 71, 256 CR3d 373, held that appellant was estopped to assert objection that trial court erred in using interpleader to resolve competing claims of defendants to settlement funds. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[4].

**New Issue on Appeal.** Crouch v. Trinity Christian Ctr. of Santa Ana, Inc. (2019) 39 CA5th 995, 1021, 253 CR3d 1, specified that a motion in limine that did not state the specific legal ground for exclusion that was subsequently raised on appeal did not preserve the objection to the issue raised on appeal. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[6][a].

**New Issue on Appeal.** In re C.P. (2020) 47 CA5th 17, 260 CR3d 494, concludes that a new issue of a constitutional nature may be raised for the first time on appeal. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[6][b].

**Mootness on Appeal.** Amgen Inc. v. Cal. Correctional Health Care Servs. (2020) 47 CA5th 716, 260 CR3d 873, described the exception to the mootness rule as that the court "retains discretion to decide a moot issue if the case presents an issue of 'substantial and continuing public interest' and is capable of repetition yet evades review." See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[9].

**Mootness on Appeal.** Moore v. Wells Fargo Bank, N.A. (2019) 39 CA5th 280, 251 CR3d 779, determines that when, despite the happening of a subsequent event, material questions remain for the court's determination, the court may decide the appeal as to future and contingent legal rights. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[9].

**Mootness on Appeal.** Cal. Charter Schs. Ass'n v. City of Huntington Park (2019) 35 CA5th 362, 247 CR3d 412, holds that a moot appeal may be decided when the issue ordinarily arises in controversies that are so short lived as to evade normal appellate review. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.13[9].

**Abuse of Discretion.** McClain v.

Kissler (2019) 39 CA5th 399, 251 CR3d 885, applies the rule that when two or more inferences can reasonably be deduced from the facts on the record, the reviewing court has no authority to substitute its decision for that of the trial court. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.16[2].

**Standard of Review.** Global Protein Prods., Inc. v. Le (2019) 42 CA5th 352, 255 CR3d 310, concluded that a trial court's decision not to dissolve a permanent injunction rests in the sound discretion of the trial court upon a consideration of all the particular circumstances of each individual case. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.16[3][l].

**Standard of Review.** In re Marriage of Grimes & Mou (2020) 45 CA5th 406, 258 CR3d 576, specified that a trial court's decision as to amount and duration of spousal support will not be reversed on appeal absent an abuse of that discretion. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.16[3][n][iii].

**Standard of Review.** Nuño v. Cal. State Univ., Bakersfield (2020) 47 CA5th 799, 261 CR3d 210, rules that the appropriate standard of appellate review of a dismissal with prejudice under CCP § 581(f)(2) is the abuse of discretion standard. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.16[3][s][ii].

**Standard of Review.** Hood v. Gonzales (2019) 43 CA5th 57, 256 CR3d 373, specifies that an appellate

court reviews an order appointing an elisor for abuse of discretion. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.16[3][v].

**Standard of Review.** Ranch at the Falls LLC v. O'Neal (2019) 38 CA5th 155, 250 CR3d 585, concludes that plaintiff who did not raise the issue of whether statement of decision granted prescriptive easement and opposed defendant's motion to vacate statement waived finding on prescriptive easement. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.17[1][b][ii].

**Standard of Review.** Pearl v. City of Los Angeles (2019) 36 CA5th 475, 248 CR3d 508, held that review of a trial court's use of its power of remittitur to reduce excessive damages is for abuse of discretion. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.17[5][g].

**Standard of Review.** Mathews v. Becerra (2019) 8 C5th 756, 257 CR3d 2, 455 P3d 277, sets forth the rules for review of an order sustaining demurrer. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.18[4][d].

**Standard of Review.** Wilson v. Cable News Net., Inc. (2019) 7 C5th 871, 249 CR3d 569, 444 P3d 706, and FilmOn.com Inc. v. Double-Verify Inc. (2019) 7 C5th 133, 246 CR3d 591, 439 P3d 1156, rule that review of an order on a motion for an anti-SLAPP motion includes evaluating the context and content of the

asserted activity. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.18[4][g].

**Law of the Case.** *Dickinson v. Cosby* (2019) 37 CA5th 1138, 50 CR3d 350, decided that a ruling on an anti-SLAPP motion is the law of the case for a subsequent anti-SLAPP motion concerning the same acts. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.22[4][b].

**Retroactivity.** *Frlekin v. Apple Inc.* (2020) 8 C5th 1038, 258 CR3d 392, 457 P3d 526, applied the rule that considerations of fairness and public policy may require that a decision be applied only prospectively. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.24[2].

**Retroactivity.** *Alvarado v. Dart Container Corp. of Cal.* (2018) 4 C5th 542, 229 CR3d 347, 411 P3d 528, holds that courts may refuse to apply an exception to retroactivity of a change in an established rule when doing so would negate applicable civil penalties. See Ch. 2, Appellate Court System and Standards of Appellate Review, 2.24[2].

## **APPEALABLE JUDGMENTS AND ORDERS**

**Jurisdictional Prerequisites.** *Valentine v. Plum Healthcare Grp., LLC* (2019) 37 CA5th 1076, 249 CR3d 905, applied the rule that a party with an appealable issue may not simply state it in a brief responsive to another party's appeal. See Ch. 3, Ap-

pealable Judgments and Orders, 3.04[2].

**Treating Appeal as Petition for Writ.** *O&C Creditors Grp., LLC v. Stephens & Stephens XII, LLC* (2019) 42 CA5th 546, 255 CR3d 596, finds grounds to treat an appeal of a nonappealable order as a petition for writ review. See Ch. 3, Appealable Judgments and Orders, 3.04[3].

**Appealability.** *City of Huntington Beach v. Becerra* (2020) 44 CA5th 243, 257 CR3d 458, follows the cases providing that an order granting a writ of administrative mandamus is appealable. See Ch. 3, Appealable Judgments and Orders, 3.06[1][a].

**Final Judgment.** *Alaama v. Presbyterian Intercnty. Hosp., Inc.* (2019) 40 CA5th 55, 252 CR3d 625, discerns that a voluntary dismissal, unaccompanied by agreement for future litigation, creates sufficient finality as to that cause of action so as to allow appeal from a judgment disposing of all other counts. See Ch. 3, Appealable Judgments and Orders, 3.06[3][a].

**Final Judgment.** *Hanna v. Mercedes-Benz USA, LLC* (2019) 36 CA5th 493, 248 CR3d 654, rules that an old unsigned order of dismissal that was reentered nunc pro tunc and signed later, made a subsequent order for attorney's fees appealable. See Ch. 3, Appealable Judgments and Orders, 3.06[3][b].

**Collateral Order.** *In re Marriage of Grimes & Mou* (6th Dist. 2020) 45 CA5th 406, 258 CR3d 576, deter-

mines that a ruling on a marital brokerage account was not an appealable order under the collateral order doctrine. See Ch. 3, Appealable Judgments and Orders, 3.06[4][b].

**Death Knell.** *Williams v. Impax Laboratories, Inc.* (2019) 41 CA5th 1060, 254 CR3d 707, rules that an order whose legal effect is to strike the class allegations from a complaint with prejudice while leaving a plaintiff's individual claims intact qualifies as a death knell order. See Ch. 3, Appealable Judgments and Orders, 3.06[4][c].

**Death Knell.** *Naranjo v. Spectrum Sec. Servs., Inc.* (2019) 40 CA5th 444, 253 CR3d 248, concludes that an order limiting the scope of the class or its claims was not appealable under the death knell doctrine. See Ch. 3, Appealable Judgments and Orders, 3.06[4][c].

**Appealable Order.** In *re Marriage of Deal* (2020) 45 CA5th 613, decides that an order requiring a person declared to be a vexatious litigant to obtain permission from the presiding judge or justice before filing "new litigation" in propria persona, per CCP § 391.7, is appealable. See Ch. 3, Appealable Judgments and Orders, 3.08[1][f][iii].

**Nonappealable Order.** *Levinson Arshonsky & Kurtz LLP v. Kim* (2019) 35 CA5th 896, 247 CR3d 777, held that CCP § 1294(a) does not make orders denying arbitration under the Mandatory Fee Arbitration Act appealable. See Ch. 3, Appealable Judgments and Orders, 3.08[3][b].

**Appealable Order.** *Estate of Sapp* (2019) 36 CA5th 86, 248 CR3d 244, specified that a tentative order granting petitions to remove the administrator of an estate was made appealable by a subsequent formal order and judgment removing the administrator. See Ch. 3, Appealable Judgments and Orders, 3.08[5][b][vii].

**Appealable Order.** *Conservatorship of D.C.* (2019) 39 CA5th 487, 493, 251 CR3d 847, rules that an order making findings and issuing letters of conservatorship was appealable. See Ch. 3, Appealable Judgments and Orders, 3.08[5][c][i].

**Postjudgment Order.** *City of Santa Maria v. Adam* (2019) 43 CA5th 152, 256 CR3d 401, reaffirms the rule that the first requirement for an appealable postjudgment order is that the issues raised by the appeal from the order must be different from those arising from an appeal from the judgment. See Ch. 3, Appealable Judgments and Orders, 3.09[1].

**Postjudgment Order.** *George v. Shams-Shirazi* (2020) 45 CA5th 134, 258 CR3d 476, concluded that a postjudgment order granting sanctions under Fam Code § 271 is an appealable order. See Ch. 3, Appealable Judgments and Orders, 3.09[7].

**Postjudgment Order.** *City of Santa Maria v. Adam* (2019) 43 CA5th 152, 256 CR3d 401, decided that an order denying a motion to clarify that a quiet title judgment protected appellants' overlying water rights from future prescription was appealable. See Ch. 3, Appealable Judgments and Orders, 3.09[9].

**Nonappealable Order.** *Lacayo v. Catalina Rest. Grp. Inc.* (2019) 38 CA5th 244, 250 CR3d 444, affirms the rule that an order as to who decides arbitrability is nonappealable. See Ch. 3, Appealable Judgments and Orders, 3.14[2][c].

**Nonappealable Order.** *Dalessandro v. Mitchell* (2019) 43 CA5th 1088, 256 CR3d 935, sided with other courts of appeal that maintain that postjudgment orders for discovery are not appealable. See Ch. 3, Appealable Judgments and Orders, 3.14[2][e].

**Nonappealable Order.** *Brown v. Upside Gading, LP* (2019) 42 CA5th 140, 254 CR3d 803, finds a class action case management ruling to be not appealable. See Ch. 3, Appealable Judgments and Orders, 3.14[2][j].

**Nonappealable Order.** *J.H. Boyd Enterprises, Inc. v. Boyd* (2019) 39 CA5th 802, 252 CR3d 360, rules that an order denying a motion for judicial reference is not appealable under CCP § 904.1. See Ch. 3, Appealable Judgments and Orders, 3.14[2][j].

## STANDING TO APPEAL

**Standing to Appeal.** *Dalessandro v. Mitchell* (2019) 43 CA5th 1088, 256 CR3d 935, determined that the client of counsel ordered to pay sanctions did not have standing to appeal the order. See Ch. 4, Standing to Appeal, 4.05[1][a].

**Standing to Appeal.** In re *K.T.* (2019) 42 CA5th 15, 254 CR3d 780, specifies that when a child is removed from a placement with a dis-

tant relative under W&I Code § 387, the relative has standing to appeal the removal order. See Ch. 4, Standing to Appeal, 4.17[6][d].

**Standing to Appeal.** In re *A.W.* (2019) 38 CA5th 655, 251 CR3d 50, holds that a parent may raise an Indian Child Welfare Act (ICWA) inquiry or notice violation on appeal from an order terminating parental rights, even if the parent did not appeal an earlier order finding the ICWA inapplicable. See Ch. 4, Standing to Appeal, 4.17[10][a].

**Standing to Appeal.** *City of Los Angeles v. Metropolitan Water Dist. of Southern California* (2019) 42 CA5th 290, 255 CR3d 202, refused to apply the general rule that standing may be raised at any time where a party loses on standing in the trial court, fails to appeal from that ruling, and attempts to raise the same fact-dependent arguments in an appeal from a postjudgment order awarding attorney fees. See Ch. 4, Standing to Appeal, 4.35.

## NOTICE OF APPEAL AND CROSS-APPEAL

**Notice of Appeal.** *Roger v. Cnty. of Riverside* (2020) 44 CA5th 510, 257 CR3d 566, followed the rule that a notice of appeal confers jurisdiction over all nonappealable orders made prior to the judgment or order appealed. See Ch. 5, Notice of Appeal, 5.04[1].

**Notice of Appeal.** *Fid. Nat'l Home Warranty Co. Cases* (2020) 46 CA5th 812, 260 CR3d 200, determines that prior orders granting motions to dis-

miss class actions for failure to timely prosecute them and further orders relating to notice of the orders to the class were not appealable, so appeal of subsequent orders for dismissals for failure to timely prosecute were appealed within 60 days. See Ch. 5, Notice of Appeal, 5.06[2][a][i].

**Notice of Appeal.** *Davis v. Mariposa Cnty. Bd. of Supervisors* (2019) 38 CA5th 1048, 252 CR3d 1, discerns that taxpayers' appeal under Gov Code § 50078.2 was untimely, although filed within the 60-day period of Cal Rules Ct, Rule 8.104(a)(1), because it was not filed within the shorter appeal period of Gov Code § 50078.17 for validation actions. See Ch. 5, Notice of Appeal, 5.07[1].

**Notice of Appeal.** Amendments to Cal Rules Ct, Rule 8.66 extend the authority of the Chair of the Judicial Council to toll filing deadlines to instances of public health emergency. See Ch. 5, Notice of Appeal, 5.09.

**Notice of Appeal.** In *re J.F.* (2019) 39 CA5th 70, 251 CR3d 602, comes to the conclusion that the rule favoring appealability in cases of ambiguity cannot apply where there is a clear intention to appeal from only one of two separate appealable judgments or orders. See Ch. 5, Notice of Appeal, 5.12[3].

**Notice of Appeal.** *K.J. v. L.A. Unified Sch. Dist.* (2020) 8 C5th 875, 257 CR3d 850, 456 P3d 988, ruled that when it is clear from the record that an omitted party intended to participate in the appeal and the re-

spondent was not misled or prejudiced by the omission of the party from the notice of appeal, the rule of liberal construction compels that the notice be construed to include the omitted party. See Ch. 5, Notice of Appeal, 5.13[3].

**Vexatious Litigant on Appeal.** In *re Marriage of Deal* (2020) 45 CA5th 613, sets forth the rule that an appellate court may find a defendant in the trial court action to be a vexatious litigant on appeal. See Ch. 5, Notice of Appeal, 5.25[1].

**Vexatious Litigant on Appeal.** *McFadden v. L.A. Cnty. Treasurer & Tax Collector* (2019) 34 CA5th 1072, 246 CR3d 768, determines that under a prefiling order, a vexatious litigant is barred from filing an appeal, i.e., it will be dismissed, if it has been filed for purpose of harassment. See Ch. 5, Notice of Appeal, 5.25[2].

## **STAY PENDING APPEAL**

**Stay Pending Appeal.** *Kennedy v. Superior Court* (2019) 36 CA5th 306, 248 CR3d 441, reaffirms the rule that the rules governing the application of stays and undertakings on appeal in a civil action do not apply in a "special proceeding" unless the statutes establishing the particular special proceeding expressly incorporate the appellate-stay provisions. See Ch. 6, Stays Related to Appeals, and Security for Appeal, 6.10[1].

**Stay Pending Appeal.** In *re Marriage of Ankola* (2019) 36 CA5th 560, 248 CR3d 683, held that the appeal of a previously issued individual domestic violence restraining



order did not remove the trial court's jurisdiction to subsequently issue a mutual domestic violence restraining order under Fam Code § 6305 against parties including that individual. See Ch. 6, Stays Related to Appeals, and Security for Appeal, 6.16[3][b].

**Stay Pending Appeal.** Kennedy v. Superior Court (2019) 36 CA5th 306, 248 CR3d 441, stated the elements that a party seeking a discretionary stay pending appeal must show. See Ch. 6, Stays Related to Appeals, and Security for Appeal, 6.25.

## **RECORD ON APPEAL**

**Record on Appeal.** Hersey v. Vopava (2019) 38 CA5th 792, 251 CR3d 262, applied the rule that in the absence of an adequate record, the judgment must be affirmed. See Ch. 7, Record on Appeal, 7.05[1].

**Designation of Transcript.** Cox v. Griffin (2019) 34 CA5th 440, 246 CR3d 18, resolved ambiguities in the initial and an amended notice designating the reporter's transcript. See Ch. 7, Record on Appeal, 7.26[2].

## **MOTIONS PROCEDURE**

**Emergency Rule on Electronic Service.** The Judicial Council has promulgated Cal Rules Ct, Appx. I, Emergency Rule 12, mandating more use of electronic service during the COVID-19 pandemic. See Ch. 9, Motions Procedure, 9.52.

## **DISMISSAL**

**Entitlement Doctrine.** United Grand Corp. v. Malibu Hillbillies, LLC (2019) 36 CA5th 142, 248 CR3d 294, dismissed under the en-

titlement doctrine the appeal by counsel challenging sanctions orders who was subsequently judged in contempt for not paying monetary sanctions, who did not report to jail, and who became a fugitive. See Ch. 10, Dismissal, Abandonment, and Stipulated Reversal, 10.15[10].

**Entitlement Doctrine.** Menezes v. McDaniel (2019) 44 CA5th 340, 257 CR3d 356, decided that although a party violated rules of court by recording proceedings without advance permission, the fact that superior court opted to accept other party's proposed settled statement over the rule violator's was a sufficiently appropriate response as to not justify dismissal under the entitlement doctrine. See Ch. 10, Dismissal, Abandonment, and Stipulated Reversal, 10.15[10].

## **BRIEFS**

**Judicial Request for Briefing.** United States v. Sineneng-Smith (2020) 206 L Ed2d 866, found an appellate court's request for additional briefing on an issue not presented by a party to constitute judicial overreach in the absence of extraordinary circumstances. See Ch. 11, Briefs, 11.07.

**Citing Unpublished Case.** Colombo v. Kinkle, Rodiger & Spriggs (2019) 35 CA5th 407, 247 CR3d 403, holds that an unpublished court of appeal opinion may be cited in a brief where the opinion is an appeal or writ from the same case or a related matter involving the same parties or parties in privity, and the question is whether res judicata, collateral estop-



pel, or law of the case should apply based on the earlier opinion. See Ch. 11, Briefs, 11.17[7].

**Case Authority.** *Kim v. Reins International California, Inc.* (2020) 9 C5th 73, 459 P3d 1123, applies the rule that an opinion is not authority for a proposition not considered in it. See Ch. 11, Briefs, 11.17[7].

## HEARING AND DECISION

**Emergency Rule on Remote Appearances.** The Judicial Council has promulgated Cal Rules Ct, Appx. I, Emergency Rule 3, authorizing courts to require that judicial proceedings be conducted remotely during the COVID-19 pandemic. See Ch. 13, Hearing and Decision, 13.08[1].

**Reversal.** *Union Pacific Railroad Co. v. Ameron Pole Products LLC* (2019) 43 CA5th 974, 257 CR3d 131, has accepted that the general rule that where several persons are affected by a judgment, the reviewing court will make no determination detrimental to the rights of those who have not been brought into the appeal, has an exception where portions of a judgment adverse to a nonappealing party are inextricably interwoven with the whole judgment. See Ch. 13, Hearing and Decision, 13.28[5][a].

**Reversal.** *Mathews v. Happy Valley Conference Ctr., Inc.* (2019) 43 CA5th 236, 256 CR3d 497, reversed where the failure of a trial court to instruct on material issues and controlling legal principles was error that probably affected the outcome. See

Ch. 13, Hearing and Decision, 13.28[5][c].

## REMITTITUR TO TRIAL COURT

**Remittitur—Point of Transfer.** *Rincon EV Realty LLC v. CP III Rincon Towers, Inc.* (2019) 43 CA5th 988, 257 CR3d 114, followed the rule that the trial court action on remittitur that does not conform to the direction of the reviewing court is void. See Ch. 16, Remittitur to Trial Court, 16.11.

## SANCTIONS

**Sanctions.** *Citizens for Amending Proposition L v. City of Pomona* (2018) 28 CA5th 1159, 239 CR3d 750, determines that sanctions on appeal are not warranted where the claims are “arguable.” See Ch. 17, Sanctions, 17.05[1].

**Sanctions.** *De la Carriere v. Greene* (2019) 39 CA5th 270, 251 CR3d 795, concluded that CCP § 128.5 does not explicitly or implicitly permit the trial court to impose sanctions against a party for pursuing a frivolous appeal. See Ch. 17, Sanctions, 17.14[6].

## COSTS ON APPEAL

**Costs on Appeal.** *Dane-Elec Corp., USA v. Bodokh* (2019) 35 CA5th 761, 248 CR3d 163, followed the rule that the better practice on the part of the appellate court is to remand the case to the trial court to determine the appropriate amount of fees on the appeal. See Ch. 18, Costs and Attorney’s Fees on Appeal, 18.16[3][c].

## SMALL CLAIMS

**Small Claims Appeals.** Pac. Pioneer Ins. Co. v. Superior Court (2020) 44 CA5th 890, 257 CR3d 881, discerns that an insurer of defendant who does not make an appearance at the hearing does not thereby lose the right to appeal from small claims. See Ch. 20, Small Claims Appeals, 20.05.

## WRIT PRACTICE

**Writ of Mandate.** Treo @ Kettner Homeowners Ass'n v. Superior

Court (2008) 166 CA4th 1055, 83 CR3d 318, grants writ of mandate concerning the denial of a motion for reference. See Ch. 22, Writs of Mandate and Prohibition, 22.13[14].

**Writ of Mandate.** O.C. v. Superior Court (2019) 44 CA5th 76, 257 CR3d 159, grants writ of mandate concerning the denial of a minor immigrant's request for special immigrant juvenile findings in a guardianship proceeding. See Ch. 22, Writs of Mandate and Prohibition, 22.13[16].

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<input type="checkbox"/>	16-1 thru 16-13 . . . . .	16-1 thru 16-14.1

## VOLUME 2

### Revision

<input type="checkbox"/>	Title page. . . . .	Title page
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<b>Check As Done</b>	<i><u>Remove Old Pages Numbered</u></i>	<i><u>Insert New Pages Numbered</u></i>
<input type="checkbox"/>	17-7 thru 17-15 . . . . .	17-7 thru 17-16.1
<input type="checkbox"/>	17-25 thru 17-31 . . . . .	17-25 thru 17-31
<input type="checkbox"/>	18-1 thru 18-21 . . . . .	18-1 thru 18-23
<input type="checkbox"/>	19-17. . . . .	19-17
<input type="checkbox"/>	19-43. . . . .	19-43 thru 19-44.1
<input type="checkbox"/>	20-11 thru 20-12.1 . . . . .	20-11 thru 20-12.1
<input type="checkbox"/>	20-29 thru 20-31 . . . . .	20-29 thru 20-31
<input type="checkbox"/>	22-1 . . . . .	22-1 thru 22-2.1
<input type="checkbox"/>	22-9 thru 22-25 . . . . .	22-9 thru 22-26.1
<input type="checkbox"/>	22-48.1. . . . .	22-48.1 thru 22-48.2(1)
<input type="checkbox"/>	23-21 thru 23-28.1 . . . . .	23-21 thru 23-28.1
<input type="checkbox"/>	TC-1 thru TC-39 . . . . .	TC-1 thru TC-41
<input type="checkbox"/>	TS-1 thru TS-27 . . . . .	TS-1 thru TS-27
<input type="checkbox"/>	I-1 thru I-39 . . . . .	I-1 thru I-39

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