


Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

3rd Appellate District



Court data last updated: 04/18/2013 08:05 AM

Docket (Register of Actions)

California Correctional Peace Officers' Association et al. v. Arnold Schwarzenegger et al.
Case Number C055327

Date	Description	Notes
04/05/2007	Petition for writ of supersedeas filed.	request for immediate temporary stay, Stay of judgment. Urgency date 04/12/07. Certificate of Interest: no entities/parties listed. (es)
04/05/2007	Exhibits filed in support of:	petition, 4 Vol.
04/06/2007	Notice of appeal lodged/received.	Filed in the trial court on 04/03/07. (Designation not included.) Petition for Writ of Mandate.
04/09/2007	Letter to counsel - 10 days to file case information statement.	CCIS and CAMS due: 04/19/07
04/09/2007	Respondent notified re CAMS.	Due 10 days after appellant files CAMS.
04/09/2007	Received:	Letter from Nielsen, Merksamer, Parrinello, Mueller & Naylor counsel for former Governors Deukmejian, Davis and Wilson, seeking amicus status.
04/11/2007	Received:	Letter from Jones & Mayer counsel for CA State Sheriffs Association seeking amicus status.
04/12/2007	Stay order filed.	The trial court's judgment of 04/02/07, in Sacramento County Superior Court Case No. 06CS01568, is stayed pending receipt of opposition to the petition for writ of supersedeas, and further order of this court. SCOTLAND, P.J. (N, R)
04/12/2007	Received:	Letter from Prison Law Office for California

		prisoners seeking amicus status.
04/17/2007	Civil case information statement filed.	
04/17/2007	Appellant's mediation statement filed.	Resp. CAMS due: 04/30/07.
04/20/2007	Opposition filed.	Respondents', to petition for writ of supersedeas or other stay order. (es) Certificate of Interest dated 04/19/07: no interested entities/persons listed.
04/20/2007	Request for judicial notice filed.	by respondents (in support of opposition). (Material attached).
04/20/2007	Respondent's mediation statement filed.	
04/24/2007	Case ordered not eligible for mediation.	SIMS, Acting P.J.
04/25/2007	Received mediation coordinator's letter.	Case not eligible for mediation; appellants proceedings to commence.
04/25/2007	Default appellant; no certificate of interested persons filed.	Certificate due: 05/10/07. RESCINDED 04/27/07.
04/25/2007	Default respondent/RPI; no certificate of interested persons filed.	Certificate due: 05/10/07. RESCINDED 04/30/07.
04/27/2007	Letter sent to:	Appellant rescinding CIEP default notice issued on 04/25/07. Appellant's CIEP filed with petition for writ.
04/30/2007	Letter sent to:	Respondents, rescinding default notice for failure to filed CIEP. CIEP contained in opposition.
04/30/2007	Request for judicial notice filed.	by appellants (material attached). (es)
04/30/2007	Request filed:	by appellants, to file supplemental brief in support of petition for writ of supersedeas. GRANTED. SCOTLAND, P.J.
04/30/2007	Supplemental	Defendant and Appellant: Arnold

	brief filed by:	Schwarzenegger Attorney: Office of the State Attorney General appellants.
05/02/2007	Request filed:	By respondents, to file supplemental brief in opposition to petition for writ of supersedeas.
05/02/2007	Supplemental brief filed by:	Plaintiff and Respondent: California Correctional Peace Officers' Association Attorney: Benjamin C. Sybesma Attorney: Gregg Mclean Adam Plaintiff and Respondent: Service Employees International Union Attorney: Paul Eugene Harris Respondents' in opposition to petition for writ of supersedeas or other stay. (es)
05/02/2007	Received copy of document filed in trial court.	Notice of election to proceed under rule 8.124 and designation of RT filed on 04/30/07 by appellants.
05/17/2007	Request for judicial notice denied.	Respondents' filed 04/20/07. (See People v. Preslie) Material bound with request will be disregarded. SCOTLAND, P.J.
05/17/2007	Request for judicial notice granted.	Appellants' filed 04/30/07 granted as to the material attached. SCOTLAND, P.J.
05/17/2007	Stay order filed.	Appellants' petition for writ of supersedeas is granted. The 04/02/07, judgment of the Sacramento County Superior Court (case no. 06CS01568) is stayed during the appeal or until further order of this court. Pending the finality of this court's decision on appellants' petition for writ of supersedeas, the 04/02/07, judgment of the Sacramento County Superior Court remains stayed. (Cal. Rules of Court, rule 8.264(b)(1).) SCOTLAND, P.J., Nicholson, J., Raye, J.
05/18/2007	Request for judicial notice filed.	Second request by respondents. Material attached.
06/01/2007	Application to file amicus curiae brief filed by:	Antony Glen Kroo for appellant Governor Schwarzenegger. Brief attached.
06/06/2007	Change of address filed for:	Paul Eugene Harris (Old address) Service Employees International Union 1108 O Street Sacramento CA 95814

		SACRAMENTO COUNTY
06/07/2007	Request for judicial notice denied.	Respondents' second request filed on 05/18/07. The clerk of the court is directed to return the material submitted with the request to counsel. Davis, Acting P.J. (R M)
06/13/2007	Order filed.	The request of Antony Glen Kroo to file an amicus curiae brief in support of appellant is denied. The clerk of the court is directed to return the proposed amicus curiae brief submitted with the request. Sims, Acting P.J. (brief returned)
06/21/2007	Received copy of	Notice of non-availability of register of actions from Sacramento County deputy clerk Fen-Ru Chen advising that the court does not keep a copy of the register of actions or a docket, as required by rule 8.124(a)(3)(B). (Service copy)
06/25/2007	Filed:	notice of change of attorney for appellants replacing former DAG Vickie Whitney with new DAG Teri Block.
08/01/2007	Reporter's transcript filed.	1 Vol. (157 pp.). AAO due: 08/31/07.
08/30/2007	Application to file amicus curiae brief filed by:	George Deukmejian, Pete Wilson and Gray Davis in support appellants. Brief attached. GRANTED
09/04/2007	Letter sent to counsel re:	returning appellants' opening brief, appendix and request for judicial notice. Appendix requires corrections pursuant to CRC rules 8.124(d)(1) and 8.144(a)(1)(C). Appendix to be corrected and AAO and rjn to be filed by 09/14/07.
09/06/2007	Amicus curiae brief filed by:	Amicus curiae for appellant: Deukmejian et al., George Attorney: Richard Martland Deukmejian et al., (STRICKEN, RETURNED PER 09/18/07 ORDER - corrected brief submitted.)
09/06/2007	Letter sent to counsel re:	Granting amicus curiae application of George Deukmejian, Gray Davis, and Pete Wilson in support of appellant. Brief filed this date. Any response due by: 10/09/07
09/12/2007	Appellant's appendix and opening brief filed.	Defendant and Appellant: Arnold Schwarzenegger Attorney: Office of the State Attorney General Defendant and Appellant: Department of Corrections and Rehabilitation et al. Attorney: Office of the State Attorney General 5 Vols. (1105 pp.)
09/12/2007	Certificate of	appellant (within AOB). No interested

09/12/2007	Certificate of interested entities or persons filed by:	appellant (within AOB). NO interested entities or persons listed.
09/12/2007	Request for judicial notice filed.	By appellants, in support of Appellants' opening brief. Material attached. GRANTED, 10/04/07.
09/13/2007	Filed:	letter request from Amicus Deukmejian et al., re correct references in brief to the appellant's appendix. (Amended brief submitted.)
09/18/2007	Order filed.	The request of amicus curiae George Deukmejian et al., to submit a corrected brief is granted. The clerk of this court is directed to strike and return the amicus brief filed 09/06/07, and to file the amicus brief submitted with the request forthwith. SCOTLAND, P.J.
09/18/2007	Amicus curiae brief filed by:	Amicus curiae for appellant: Deukmejian et al., George Attorney: Richard Martland (Corrected)
10/01/2007	Application to file amicus curiae brief filed by:	Corrections Corporation of America, and The GEO Group, in support of appellants. (Brief submitted.) GRANTED.
10/03/2007	Amicus curiae brief filed by:	Amicus curiae for appellant: Corrections Corporation of America Attorney: Daniel M. Kolkey Amicus curiae for appellant: The GEO Group Attorney: Paul D. Fogel
10/03/2007	Letter sent to counsel re:	Granting amicus curiae application of applicant Corrections Corp. of America and The GEO Group in support of appellants. Any response due 11/2/2007.
10/03/2007	Request for judicial notice filed.	Motion for judicial notice in support of amici curiae brief, by Corrections Corp. of America and The GEO Group. GRANTED (See fn.6, pg. 18 of opinion.)
10/04/2007	Request for judicial notice granted.	Appellant's filed 09/12/07 as to attached material. Blease, Acting P.J. (D N)
10/19/2007	Respondent notified pursuant to rule 8.220(a)(2).	Plaintiff and Respondent: California Correctional Peace Officers' Association Attorney: Benjamin C. Sybesma Attorney: Gregg Mclean Adam Due: 11/05/07.
10/19/2007	Respondent notified pursuant to rule 8.220(a)(2).	Plaintiff and Respondent: Service Employees International Union Attorney: Paul Eugene Harris Due: 11/05/07.

10/25/2007	Ruling on request for judicial notice deferred	Judicial notice in support of the amici curiae brief by Corrections Corporation of America and The GEO Group, Inc. is deferred pending calendaring and assignment of the panel. Scotland, P.J.
11/02/2007	Substitution of attorneys filed for:	Appellants Arnold Schwarzenegger et al. Deputy AG has changed from Teri Block to Thomas Patton.
11/02/2007	Respondent's brief.	Plaintiff and Respondent: California Correctional Peace Officers' Association Attorney: Benjamin C. Sybesma Attorney: Gregg Mclean Adam Plaintiff and Respondent: Service Employees International Union Attorney: Paul Eugene Harris
11/02/2007	Filed additional cites for oral argument.	by Respondents.
11/06/2007	Certificate of interested entities or persons filed by:	respondents (within RB). No interested entities or persons listed.
11/06/2007	Request for judicial notice filed.	By respondents, in support of respondents' brief. Material attached. GRANTED. (See fn. 5, pg. 18 of opinion.)
11/07/2007	Ruling on request for judicial notice deferred	pending calendaring and assignment of the panel. Scotland, P.J.
11/20/2007	Stipulation of extension of time filed:	Appellant's reply brief. Due on 12/03/2007 By 7 Day(s) Appellants to 12/03/07.
12/03/2007	Appellant's reply brief.	Defendant and Appellant: Arnold Schwarzenegger Attorney: Office of the State Attorney General Defendant and Appellant: Department of Corrections and Rehabilitation et al. Attorney: Office of the State Attorney General
12/03/2007	Case fully briefed.	
04/07/2008	Argument order sent.	Tuesday, May 27, 2008, at 9:30 a.m. SCOTLAND, P.J. (Court's own motion.)
04/17/2008	Application filed:	Amicus Curiae George Deukmejian, Pete Wilson and Gray Davis to participate at oral argument; request for five (5) additional

		argument, request for five (5) additional minutes.
04/22/2008	Filed letter from:	appellants in support of Amici request for five minutes additional time for oral argument.
04/22/2008	Order filed.	The application of Amicus Curiae George Deukmejian, Pete Wilson and Gray Davis to participate at oral argument is granted. Each side will be allotted a total of 20 minutes for oral argument. Amicus Curiae George Deukmejian, Pete Wilson and Gray Davis are permitted to share appellants' allotted time for argument. SCOTLANT, P.J.
05/27/2008	Cause argued and submitted.	Thomas M. Patton, DAG, argued for Def-Appt. Richard D. Martland argued for Def-Appt Amicus Deukmejian et al. Laurie Hepler argued for Plts-Resps. Gregg Adam appeared only for Plts-Resps. Additional Citations received from Laurie Hepler.
06/04/2008	Opinion filed.	(Signed Published) The judgment is reversed, and the matter is remanded to the trial court with directions to enter a new judgment denying plaintiffs the relief they seek. Plaintiffs shall reimburse defendants for their costs on appeal. (Cal. Rules of Court, rule 8.278(a)(1), (a)(2).) The stay that we previously issued is vacated upon the finality of this decision. SCOTLAND, P.J. We concur: NICHOLSON, J., RAYE, J.
06/04/2008	Letter sent to:	California State Sheriffs' Association returning application/amicus curiae brief as untimely. (Cal. Rules of Court, rule 8.200(c)(1).)
07/14/2008	Petition for review filed in Supreme Court.	Filed by Plaintiff in S.F. (S165069)
07/15/2008	Record transmitted to Supreme Court.	1 vol.
07/15/2008	Service copy of petition for review received.	Respondents'.
08/04/2008	Answer to petition for review received	
08/05/2008	Received copy of	Respondents' request for depublication of this court's opinion directed to Supreme Court. Sent copy to author.
08/14/2008	Received copy of	Reply in Support of Petition for review.
08/14/2008	Received copy	Appellants' letter directed to the Supreme

08/14/2008	Received copy of	Appellants letter directed to the Supreme Court opposing depublication of this court's opinion - sent copy to author.
08/25/2008	Record returned from Supreme Court.	1 vol.
08/20/2008	Petition for review denied in Supreme Court.	The petition for review is denied. The request for an order directing depublication of the opinion is denied. George, C.J.
09/16/2008	Remittitur issued.	Plaintiffs shall reimburse defendants for their costs on appeal.
09/16/2008	Case complete.	
01/12/2009	Galley proof sent.	To Reporter of Decisions 01/14/09.
05/25/2010	Record shipped to records center - Sacramento.	List 46 Box 22 Loc. 26914
05/25/2010	Record shipped to records center - Sacramento.	List 46, Box 21, Location 0026913

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