

**SUPERIOR COURT OF CALIFORNIA
County of SAN DIEGO**

Register of Actions Notice

Case Number: 37-2017-00037675-CU-WM-CTL
 Case Title: Cotton vs City of San Diego [IMAGED]
 Case Status: Pending
 Case Category: Civil - Unlimited
 Case Type: Writ of Mandate

Filing Date: 10/06/2017
 Case Age: 223 days
 Location: Central
 Judicial Officer: Joel R. Wohlfeil
 Department: C-73

Future Events

Date	Time	Department	Event
No future events			

Participants

Name	Role	Representation
Berry, Rebecca	Respondent on Appeal	Weinstein, Michael R
COTTON, DARRYL	Petitioner, Appellant	Self-Represented
City of San Diego	Respondent, Respondent on Appeal	Phelps, M. Travis; Phelps, M. Travis; Will, Jana Mickova
Geraci, Larry	Respondent on Appeal	Weinstein, Michael R

Representation

Name	Address	Phone Number
COTTON, DARRYL	6176 Federal Boulevard San Diego CA 92114	(619) 634-1561
PHELPS, M. T	OFFICE OF THE CITY ATTORNEY 1200 Third Avenue 1100 San Diego CA 92101 4100	(619) 533-5800
WEINSTEIN, MICHAEL R	FERRIS & BRITTON APC 501 West Broadway 1450 San Diego CA 92101	(619) 233-3131, (619) 232-9316
WILL, JANA M	OFFICE OF THE CITY ATTORNEY 1200 Third Avenue 1100 San Diego CA 92101	(619) 533-5800

ROA#	Entry Date	Short/Long Entry	Filed By
1	10/06/2017	Petition for Writ of Mandate filed by COTTON, DARRYL. Refers to: City of San Diego; Berry, Rebecca; Geraci, Larry	COTTON, DARRYL (Petitioner)
2	10/06/2017	Civil Case Cover Sheet filed by COTTON, DARRYL. Refers to: City of San Diego; Berry, Rebecca; Geraci, Larry	COTTON, DARRYL (Petitioner)
3	10/06/2017	Civil Case Cover Sheet filed by COTTON, DARRYL.	COTTON, DARRYL (Plaintiff)
4	10/06/2017	Original Summons filed by COTTON, DARRYL.	COTTON, DARRYL (Plaintiff)
5	10/06/2017	Case assigned to Judicial Officer Sturgeon, Eddie.	
6	10/11/2017	Case initiation form printed.	
7	10/11/2017	Summons issued.	
8	10/12/2017	Ex Parte scheduled for 10/31/2017 at 08:30:00 AM at Central in C-67 Eddie C Sturgeon.	
9	10/30/2017	Ex Parte Application - Other and Supporting Documents (Ex Parte Application for Alternative Writ of Mandate) filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
10	10/30/2017	Memorandum of Points and Authorities filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
11	10/30/2017	Declaration - Other (Declaration of Darryl Cotton) filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
12	10/30/2017	Declaration - Other (Declaration of David Demian) filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
13	10/30/2017	Notice of Lodgment filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
14	10/30/2017	Request for Judicial Notice filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)

15	10/30/2017	Proposed Order (Re: Ex Parte Application) submitted by COTTON, DARRYL received but not filed on 10/30/2017.	COTTON, DARRYL (Petitioner)
16	10/23/2017	Proof of Personal Service - Petition (City of San Diego) filed by COTTON, DARRYL. Refers to: City of San Diego	COTTON, DARRYL (Petitioner)
17	10/31/2017	Opposition - Other (Opposition to ex-parte with attached declarations/points & authorities) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
20	10/31/2017	Ex Parte continued pursuant to Court's motion to 11/02/2017 at 08:30AM before Judge Eddie C Sturgeon.	
21	10/31/2017	Minutes finalized for Ex Parte heard 10/31/2017 08:30:00 AM.	
22	11/02/2017	Appointment of Official Reporter Pro Tempore (TRACI L. WHEELER, CSR#11810) filed by The Superior Court of San Diego.	
23	11/02/2017	Minutes finalized for Ex Parte heard 11/02/2017 08:30:00 AM.	
24	11/02/2017	Case reassigned from Judge Sturgeon, Eddie C to Joel Wohlfeil effective 11/02/2017	
25	11/01/2017	Proof of Service (Real Parties In Interest Larry Geraci and Rebecca Berry Opposition to ExParte Application for Issuance of an Alternative Writ of Mandate or For and Order Setting an Expedited Hearing and Briefing Schedule (and supporting documents)) filed by Geraci, Larry; Berry, Rebecca. Refers to: COTTON, DARRYL	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
26	11/03/2017	Notice and Acknowledgment of Receipt (Rebecca Berry) filed by COTTON, DARRYL. Refers to: Berry, Rebecca	COTTON, DARRYL (Petitioner)
27	11/03/2017	Notice and Acknowledgment of Receipt (Larry Geraci) filed by COTTON, DARRYL. Refers to: Geraci, Larry	COTTON, DARRYL (Petitioner)
28	11/09/2017	Ex Parte scheduled for 11/16/2017 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
29	11/13/2017	The Ex Parte was rescheduled to 11/21/2017 at 08:30:00 AM in C-73 before Joel R. Wohlfeil at Central.	
30	11/13/2017	Ex Parte scheduled for 11/21/2017 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
31	11/17/2017	The Ex Parte was rescheduled to 11/22/2017 at 08:30:00 AM in C-73 before Joel R. Wohlfeil at Central.	
32	11/17/2017	Ex Parte scheduled for 11/22/2017 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
33	11/21/2017	The Ex Parte was rescheduled to 12/07/2017 at 08:30:00 AM in C-73 before Joel R. Wohlfeil at Central.	
34	11/21/2017	Ex Parte scheduled for 12/07/2017 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
35	11/29/2017	Hearing on Petition scheduled for 01/19/2018 at 09:00:00 AM at Central in C-73 Joel R. Wohlfeil.	
36	11/29/2017	The Hearing on Petition was rescheduled to 01/26/2018 at 09:00:00 AM in C-73 before Joel R. Wohlfeil at Central.	
37	11/29/2017	Hearing on Petition scheduled for 01/26/2018 at 09:00:00 AM at Central in C-73 Joel R. Wohlfeil.	
38	12/06/2017	Ex Parte Application - Other and Supporting Documents (For An Order Shortening Time to Hear Motion for Issuance of Peremptory Writ in the First Instance) filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
41	12/07/2017	Hearing on Petition continued pursuant to Court's motion to 01/25/2018 at 09:00AM before Judge Joel R. Wohlfeil.	
42	12/07/2017	Minutes finalized for Ex Parte heard 12/07/2017 08:30:00 AM.	

43	12/07/2017	Opposition - Other (REAL PARTIES IN INTEREST LARRY GERACI AND REBECCA BERRY MEMORANDUM OF POINTS & AUTHORITIES IN OPPOSITION TO SECOND EX PARTE APPLICATION FOR ORDER SETTING AN EXPEDITED HEARING DATE & BRIEFING SCHEDULE; OTHER SUPPORTING DOCUMENTS) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
44	12/07/2017	Notice of Lodgment (REAL PARTIES IN INTEREST LARRY GERACI & REBECCA BERRY NOTICE OF LODGMENT IN OPPOSITION TO EX PARTE APPLICATION FOR ORDER SETTING AN EXPEDITED HEARING DATE & BRIEFING SCHEDULE) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
45	12/08/2017	Substitution of Attorney filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
46	11/30/2017	Answer filed by Geraci, Larry.	Geraci, Larry (Real Party In Interest (RpII))
47	11/30/2017	Proof of Service by Mail filed by Geraci, Larry.	Geraci, Larry (Real Party In Interest (RpII))
48	11/30/2017	Answer filed by Berry, Rebecca.	Berry, Rebecca (Real Party In Interest (RpII))
49	11/30/2017	Proof of Service by Mail filed by Berry, Rebecca.	Berry, Rebecca (Real Party In Interest (RpII))
50	12/07/2017	Proof of Service (Real Parties in Interests Memorandum of Points and Authorities, Request for Judicial Notice, and Notice of Lodgment in Opposition to Second Ex Parte Application) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
51	12/26/2017	Ex Parte scheduled for 01/09/2018 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
52	12/18/2017	[Another document for ROA# 52]	
52	12/18/2017	Notice of Appeal filed by COTTON, DARRYL. Refers to: City of San Diego; Geraci, Larry; Berry, Rebecca	COTTON, DARRYL (Appellant)
53	12/20/2017	[Another document for ROA# 53]	
53	12/20/2017	Notice of Amended Appeal filed by COTTON, DARRYL. Refers to: City of San Diego; Geraci, Larry; Berry, Rebecca	COTTON, DARRYL (Appellant)
54	12/28/2017	Answer filed by City of San Diego.	City of San Diego (Respondent On Appeal)
55	01/08/2018	Ex Parte Application - Other and Supporting Documents (Ex Parte Application to Compel the Deposition of Darryl Cotton and to Continue the Hearing Date for Cotton's Motion for Issuance of a Peremptory Writ of Mandate) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
56	01/08/2018	Notice of Lodgment filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
57	01/08/2018	Proof of Service filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
59	01/09/2018	Motion Hearing (Civil) scheduled for 01/25/2018 at 09:00AM before Judge Joel R. Wohlfeil.	
60	01/09/2018	Minutes finalized for Ex Parte heard 01/09/2018 08:30:00 AM.	
61	01/09/2018	Notice of Hearing filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
62	01/09/2018	Proof of Service filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
63	01/23/2018	Tentative Ruling for Hearing on Petition published.	
64	01/25/2018	Minutes finalized for Multiple Events heard 01/25/2018 09:00:00 AM.	

65	01/12/2018	Notice of Change in Handling Attorney filed by City of San Diego.	City of San Diego (Respondent On Appeal)
66	01/26/2018	Notice of Ruling (After Hearing) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
67	01/26/2018	Notice - Other (Consent to Electronic Service) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
69	02/02/2018	Notice of Default SD generated.	
70	02/22/2018	Ex Parte scheduled for 03/06/2018 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
71	02/14/2018	Order for Dismissal of Appeal filed by The Superior Court of San Diego.	
72	03/06/2018	Minutes finalized for Ex Parte heard 03/06/2018 08:30:00 AM.	
73	02/26/2018	Declaration - Other (DECLARATION OF MICHAEL R. WEINSTEIN IN SUPPORT OF ENTRY OF PROPOSED JUDGMENT; PROOF OF SERVICE) filed by Geraci, Larry; Berry, Rebecca.	Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
74	03/07/2018	Judgment (JUDGMENT AFTER ORDER DENYING MOTION FOR ISSUANCE OF PEREMPTORY WRIT OF MANDATE) filed by City of San Diego; Geraci, Larry; Berry, Rebecca. Refers to: COTTON, DARRYL	City of San Diego (Respondent On Appeal); Geraci, Larry (Real Party In Interest (RpII)); Berry, Rebecca (Real Party In Interest (RpII))
75	03/12/2018	Ex Parte scheduled for 03/20/2018 at 08:30:00 AM at Central in C-73 Joel R. Wohlfeil.	
76	03/14/2018	Notice of Entry of Judgment filed by COTTON, DARRYL.	COTTON, DARRYL (Petitioner)
77	03/20/2018	Minutes finalized for Ex Parte heard 03/20/2018 08:30:00 AM.	
78	03/20/2018	[Another document for ROA# 78]	
78	03/20/2018	Notice of Appeal filed by COTTON, DARRYL. Refers to: City of San Diego; Geraci, Larry; Berry, Rebecca	COTTON, DARRYL (Appellant)
79	02/26/2018	[Another document for ROA# 79]	
79	02/26/2018	Notice of Appeal filed by COTTON, DARRYL. Refers to: City of San Diego; Geraci, Larry; Berry, Rebecca	COTTON, DARRYL (Appellant)
80	04/13/2018	Request to Waive Court Fees filed by COTTON, DARRYL.	COTTON, DARRYL (Appellant)
81	04/20/2018	Order on Court Fee Waiver filed by The Superior Court of San Diego. Refers to: COTTON, DARRYL	
82	04/24/2018	Remittitur filed by The Superior Court of San Diego.	
83	04/24/2018	Notice of Appeal dismissed without prejudice as to Berry, Rebecca .	
84	04/24/2018	Notice of Appeal dismissed without prejudice as to City of San Diego.	
85	04/24/2018	Notice of Appeal dismissed without prejudice as to Geraci, Larry .	
86	04/24/2018	Notice of Appeal dismissed without prejudice as to COTTON, DARRYL .	
87	04/24/2018	Notice of Amended Appeal dismissed without prejudice as to Berry, Rebecca .	
88	04/24/2018	Notice of Amended Appeal dismissed without prejudice as to City of San Diego.	
89	04/24/2018	Notice of Amended Appeal dismissed without prejudice as to Geraci, Larry .	
90	04/24/2018	Notice of Amended Appeal dismissed without prejudice as to COTTON, DARRYL .	

- 91 04/24/2018 Judgment was entered as follows: Judgment entered for Berry, Rebecca ;City of San Diego;Geraci, Larry ;Berry, Rebecca ;City of San Diego;Geraci, Larry and against COTTON, DARRYL ;COTTON, DARRYL for \$ 0.00, punitive damages: \$ 0.00, attorney fees: \$ 0.00, interest: \$ 0.00, prejudgment costs: \$ 0.00, other costs: \$ 0.00, amount payable to court: \$.00, for a grand total of \$ 0.00.
- 92 04/24/2018 Miscellaneous Minute Order Finalized.
- 94 04/27/2018 Notice of Default SD generated.
- 95 04/27/2018 Notice of Default SD generated.