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County of San Diego
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Clerk of the Superior Court
By J. Rael ,Deputy Clerk

6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **COUNTY OF SAN DIEGO — CENTRAL DIVISION**

8 DARRYL COTTON, an individual,
9 Plaintiff and Petitioner

10 v.

11 CITY OF SAN DIEGO, a municipal corporation; and
12 DOES 1 through 100, inclusive,
13 Defendants and Respondents.
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Case No. 26CU045721C

**REQUEST FOR JUDICIAL NOTICE
IN SUPPORT OF VERIFIED
PETITION FOR WRIT OF MANDATE**
[Evid. Code §§ 450 et seq., 451–453; Cal. Rules of
Court, rules 3.1113, 3.1306]
[Related: Cotton v. City of San Diego, No.
26CU043242C (Code Enf. No. CE-0541944, “CODE
BLUE”)]

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18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 PLEASE TAKE NOTICE that Petitioner Darryl Cotton (“Cotton”) respectfully requests that the
20 Court take judicial notice of the following documents, pursuant to California Evidence Code sections
21 450 et seq., 451, 452, and 453, California Rules of Court, rules 3.1113 and 3.1306(c), and the
22 authorities discussed below. True and correct copies are attached to the concurrently filed Declaration
23 of Darryl Cotton in Support of Verified Petition for Writ of Mandate, at the exhibits indicated:

24 1. A true and correct copy of the City of San Diego’s NextRequest public-records portal record
25 for Public Records Act Request No. 26-6343, including the City’s messages of July 8, July 29, and
26 August 12, 2026 (Declaration, Exhibit A).

27 2. A true and correct copy of the City of San Diego Code Enforcement record for Case No. CE-
28 0541944, and its status (Declaration, Exhibit C).

1 3. A true and correct copy of United Rentals' County of San Diego Sewage Hauler Operating
2 Permit application and record, No. LSHOP-000063 (Declaration, Exhibit G).

3 4. A true and correct copy of the County of San Diego Department of Environmental Health and
4 Quality, Hazardous Materials Division referral concerning the operation at 6144 Federal Boulevard
5 (Declaration, Exhibit E).

6 5. True and correct copies of United Rentals (North America), Inc.'s own published materials on
7 its public website — its frac-tank selection guidance ("Choosing the Best Frac Tank for the Job,"
8 [https://www.unitedrentals.com/project-uptime/equipment/frac-tank-guide-choosing-best-frac-tank-](https://www.unitedrentals.com/project-uptime/equipment/frac-tank-guide-choosing-best-frac-tank-job)
9 [job](https://www.unitedrentals.com/project-uptime/equipment/frac-tank-guide-choosing-best-frac-tank-job)) and its closed-top, vapor-tight "Gas Buster" 21,000-gallon frac-tank product page
10 ([https://www.unitedrentals.com/marketplace/equipment/pumps-tanks-filtration/tanks/gas-buster-frac-](https://www.unitedrentals.com/marketplace/equipment/pumps-tanks-filtration/tanks/gas-buster-frac-tank-21000-gal)
11 [tank-21000-gal](https://www.unitedrentals.com/marketplace/equipment/pumps-tanks-filtration/tanks/gas-buster-frac-tank-21000-gal)) (Declaration, Exhibit E).

12 MEMORANDUM OF POINTS AND AUTHORITIES

13 I. The Court May Take Judicial Notice of the City's and County's Official Records (Items 14 1–4).

15 A court may take judicial notice of the official acts of the legislative, executive, and judicial
16 departments of the United States and of any state (Evid. Code, § 452, subd. (c)), and of facts and
17 propositions that are not reasonably subject to dispute and are capable of immediate and accurate
18 determination by resort to sources of reasonably indisputable accuracy (id., subd. (h)). Where the
19 authenticity and legal effect of documents is not reasonably subject to dispute and they are capable of
20 ready determination, California courts have taken judicial notice of materials printed or downloaded
21 from governmental websites. (Scott v. JPMorgan Chase Bank, N.A. (2013) 214 Cal.App.4th 743, 759.)

22 Items 1 through 4 are official records of the City of San Diego and the County of San Diego,
23 retrieved from their official public-records systems and files — the City's NextRequest public-records
24 portal (Item 1), the City's Code Enforcement record (Item 2), and the County's Sewage Hauler
25 Operating Permit file and Hazardous Materials Division referral (Items 3–4). Their existence, contents,
26 and status are readily verifiable and not reasonably subject to dispute, and the Court may take judicial
27 notice of them.

28 II. The Court May Take Judicial Notice of United Rentals' Own Published

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III. Conclusion.

Dated: August 14, 2026

Respectfully submitted,



Darryl Cotton, in propria persona