

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

JUSTICE CENTER:

- Central - 700 Civic Center Dr. West, Santa Ana, CA 92701-4045
- Harbor-Laguna Hills - 23141 Moulton Pkwy., Laguna Hills, CA 92653-1251
- Harbor-Laguna Niguel- 30143 Crown Valley Pkwy, Laguna Niguel CA 92677-2089
- Harbor-Newport Beach - 4601 Jamboree Rd., Newport Beach, CA 92660-2595
- North - 1275 N. Berkeley Ave., P. O. Box 5000, Fullerton, CA 92838-0500
- West - 8141 13th Street, Westminster, CA 92683-4593

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

DEC 18 2009

APPELLANT [REDACTED] Park
vs.

ALAN CARLSON, Clerk of the Court

H. Potter
BY H POTTER

RESPONDENT: People of the State of California

RECEIPT FOR RECORDS AND PAPERS

CASE NUMBER: SA137669PE

APPEAL NUMBER:

30-2009

I hereby certify that the following listed records and papers, are the originals, or if marked "copy" are true copies of the original on file in the above entitled case:

Clerk's Transcript; 1 vol; 12 pp.
Engrossed Settled Statement

RECEIVED
SUPERIOR COURT OF CALIFORNIA
CENTRAL JUSTICE CENTER

DEC 11 2009

BY: H. POTTER

00329670

RECEIVED
SUPERIOR COURT OF CALIFORNIA
CENTRAL JUSTICE CENTER

DEC 04 2009

BY: A. THAU

Date: 12/01/09

Alan Carlson, Clerk of the Court
By C. Gonzalez
C. Gonzalez, Deputy Clerk

RECEIPT OF RECORD

I received the above documents, constituting the record on appeal in the above entitled case.

Date: **DEC 18 2009**

Alan Carlson, Clerk of the Court

By HEATHER POTTER
HEATHER POTTER, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
APPELLATE DIVISION

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF ORANGE
 CENTRAL JUSTICE CENTER

DEC 18 2009

ALAN CARLSON, Clerk of the Court

H. Potter
 H. POTTER

People of the State of California

Trial Court Case No. SA137669

vs.

30-2009

 Park

Appellate Division Case No.

00329670

APPEAL FROM THE SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE - Traffic Division
DANIEL M. ORNELAS, COMMISSIONER

CLERK'S TRANSCRIPT

APPEARANCES

 Park




People of the State of California

District Attorney's Office
 401 Civic Center Drive
 Santa Ana, CA. 92701

People of the State of California vs [REDACTED] Park
SA137669PE

CHRONOLOGICAL INDEX


DATE	DOCUMENT TITLE	VOL. #	PAGE #
2/17/2009	Notice to Appear	1	1
2/23/2009	Docket	1	2
6/24/2009	Notice to Appeal	1	5
8/14/2009	Notice of Ruling and Notice of Cotinuance of Hearing on Statement on Appeal	1	10


People of the State of California vs [REDACTED] Park
SA137669PE

ALPHABETICAL INDEX

DATE	DOCUMENT TITLE	VOL. #	PAGE #
2/23/2009	Docket	1	2
8/14/2009	Notice of Ruling and Notice of Cotinuanance of Hearing on Statement on Appeal	1	10
6/24/2009	Notice to Appeal	1	5
2/17/2009	Notice to Appear	1	1

NOTICE OF TRAFFIC VIOLATION

The City of Santa Ana Police Department					
NOTICE TO APPEAR Automated Traffic Enforcement SA137669PE					
DATE OF VIOLATION February 17, 2009			TIME 13:47		
NAME (FIRST, MIDDLE, LAST) ██████████ PARK					
ADDRESS ██████████					
CITY ██████████		STATE ██████████		ZIP CODE ██████████	
DRIVER LIC. NO. ██████████	STATE CA	CLASS C	COMMERCIAL <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	AGE ██████████	BIRTH DATE ██████████
SEX ██████████	HAIR ██████████	EYES ██████████	HEIGHT ██████████	WEIGHT ██████████	
VER. LIC. NO. ██████████	STATE CA		<input type="checkbox"/> COMMERCIAL VEHICLE (Veh. Code, § 15210(b)) <input type="checkbox"/> HAZARDOUS MATERIAL (Veh. Code, § 353)		
YR. OF VER. ██████████	MAKE TOYOTA	BODY STYLE ██████████	COLOR ██████████		
REGISTERED OWNER OR LESSEE ██████████ PARK					
ADDRESS ██████████					
CITY ██████████		STATE ██████████		ZIP CODE ██████████	
CODE AND SECTION VC 21453(a)			DESCRIPTION Failure to Stop at Red Light		
LOCATION OF VIOLATION At Bristol St & Segerstrom Ave					
<p>VIOLATION WAS NOT COMMITTED IN MY PRESENCE. THE ABOVE IS DECLARED ON INFORMATION AND BELIEF AND IS BASED ON PHOTOGRAPHIC EVIDENCE.</p> <p>I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THE FOREGOING IS TRUE AND CORRECT.</p>					
21-Feb-09 DATE ISSUED	GARY FRATUS DECLARANT		 SIGNATURE		2087 ID NO
YOU MUST RESPOND TO THE COURT ON OR BEFORE:			Clerk's Office Hours:		
WHEN: 7-Apr-09			Monday - Friday 7:30 AM - 5:00 PM		
			Night Court:		
			First and Third Tuesday of Each Month 4:00 PM - 6:00 PM		
WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.					
WHERE: The Superior Court of California 700 Civic Center Dr. West Santa Ana, CA 92702 714-449-8100					
Notice to Appear form approved by the Judicial Council of California Rev. 08-20-05 (Veh. Code, § 40514)			SEE REVERSE TR-115		

Certificate of Mailing	
<p>I, CHRISTI STAMPLEY of Redflex Traffic Systems Inc., 23751 N. 23rd Avenue, Suite 150, Phoenix, Arizona 85095-1854, do certify that I am over 18 years old and not a party to the above entitled case. On Saturday, February 21, 2009, I placed this Notice to Appear in an envelope addressed to the registered owner, lessee, or identified driver as shown above, sealed it, and deposited the envelope in a United States Postal Service receptacle located at the United States Postal Service office in Phoenix, Arizona. In the ordinary course of business, the envelope is sealed, affixed with proper postage, and mailed. I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p>	
 <hr style="width: 100px; margin: auto;"/>	
Dated: 21-Feb-09	CHRISTI STAMPLEY (Code of Civil Procedure 1013a(3), 2015.5)

██████████ **PARK**
 ██████████
 ██████████

**SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE**

DOCKET REPORT

Case : SA137669PE I A

Name : Park, [REDACTED]

Date of Action	Seq Nbr	Code	Text
02/23/09	1	FLDOC	Original Citation filed on 02/23/2009 by Santa Ana Police Department.
	2	DFADD	Name recorded: Park, [REDACTED]
	3	FLCNT	INFRACTION charge of 21453(a) VC filed as count 1. Date of violation: 02/17/2009.
02/24/09	1	DFNPR	Department of Motor Vehicles check returned no assessable priors for this defendant.
02/25/09	1	NTSNT	Courtesy Notice sent.
04/06/09	1	CLEXT	Your citation appearance date has been extended to 05/22/09.
04/07/09	1	CLCST	Arraignment set on 04/07/2009 at 09:00 AM in Department C54.
	2	HHELD	Hearing held on 04/07/2009 at 09:00:00 AM in Department C54 for Arraignment.
	3	OFJUD	Officiating Judge: Lyle J. Robertson, Commissioner
	4	OFJA	Clerk: S. Buchanan
	5	OFBAL	Bailiff: Present
	6	OFREP	Court Reporter: None
	7	APDPP	Defendant present in Court in propria persona.
	8	DFCSR	Defendant provided a copy of the Statement of Rights by the Clerk's Office.
	9	ADASR	Defendant acknowledges reading and understanding the Statement of Rights.
	10	ADAIC	Defendant is formally arraigned and informed of the charges.
	11	EXT	Extension granted from 04/21/2009 to 04/21/2009 to post bail of \$436.00 for Court Trial.
	12	TEXT	CORRECTION, above entry in error.
	13	EXT	Extension granted from 04/07/2009 to 04/21/2009 to post bail of \$436.00 for Court Trial.
	14	DFRPT2	Defendant ordered to report to L100 forthwith.
	15	NTDEF	Notice to defendant issued.
	16	NTDEF	Notice to defendant issued.
	17	OFMEC	Minutes entered by C. Jones.
04/21/09	1	REMRC	Remittance from receipt # 7301249 received in the amount of \$ 436.00.
	2	CBLPST	Cash bail posted in the amount of \$ \$436.00 by Park, [REDACTED]. Bail is Authorized: Y. Receipt # 7301249.
	3	PLCNG	Defendant declares intention to plead NOT GUILTY on count(s) 1 to the clerk. Cause set for arraignment and court trial on 05/27/2009 at 01:30 PM in Department C54.
	4	NTDEF	Notice to defendant issued.
05/27/09	1	HHELD	Hearing held on 05/27/2009 at 01:30:00 PM in Department C54 for Arraignment and Court Trial.
	2	OFJUD	Officiating Judge: Daniel M Ornelas, Commissioner

2

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE

DOCKET REPORT

Case : SA137669PE I A

Name : Park, [REDACTED]

Date of Action	Seq Nbr	Code	Text
05/27/09	3	OFJA	Clerk: I. Escobedo
	4	OFBAL	Bailiff: H. Perez
	5	OFREP	Court Reporter: None
	6	APDPP	Defendant present in Court in propria persona.
	7	APBOT	Officer Bell - Santa Ana Police Department, Law Enforcement Officer, present in court.
	8	TRSTR	This case came on regularly for trial.
	9	TRWST	Witness, Officer Bell - Santa Ana Police Department, sworn and testified.
	10	TEXT	<p>People's Exhibit #1 - Two Single-sided pages of front and back of citation with four color photographs of vehicle and defendant at intersection marked for identification.</p> <p>People's Exhibit #2 - Statement of Smartcamred Red Light Camera Technology describing the various processing functions of the red light camera systems marked for identification.</p> <p>People's Exhibit #3 - Declaration of Custodian of Records, signed by an employee of Redflex in accordance with California Evidence Code 1280 and Declaration of Technology signed by employee of Redflex in accordance with California Evidence Code 1561 marked for identification. The above form attests to the authentication of the data.</p> <p>People's Exhibit #4 - Two single-sided pages of City of Santa Ana's automated Red Light Enforcement System and its compliance with vehicle code requirements marked for identification.</p> <p>People's Exhibit #5- Four pages of color photographs showing defendant driving the vehicle committing violation of 21453 (a) marked for identification.</p> <p>People's Exhibit #6 - One color Soundex Photo Image Record from the Department of Motor Vehicles along with thumbprint and signature of defendant marked for identification.</p> <p>People's Exhibit #7 - One 12 second video recorded on a CD Rom Media, showing the vehicle committing the violation marked for identification.</p> <p>People's Exhibit #8 - Declaration of Business Record: Intersection Maintenance Log. California Evidence Code Section 1271</p> <p>The court views the 12 second video in open court.</p> <p>Court orders Officer to retain all exhibit's for 45 day appeal period.</p> <p>Both parties stipulate as to the evidence being introduced and received into evidence.</p>
	11	TRPRS	People rest.
	12	TRWST	Witness [REDACTED] Park - Defendant, sworn and testified.

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE

DOCKET REPORT

Case : SA137669PE1A

Name : Park, [REDACTED]

Date of Action	Seq Nbr	Code	Text
05/27/09	13	TRDRS	Defense rests.
	14	FDCGC	Court finds defendant GUILTY as to count 1 as charged in the Original Citation.
	15	SEFIN	As to count(s) 1, pay a FINE of \$100.00 plus penalty assessments.
	16	SESEC	Pay Security Fee(s) pursuant to Penal Code 1465.8 totaling \$20.00.
	17	SECCA	Pay Criminal Conviction Assessment Fee(s) pursuant to Government Code 70373(a)(1) totaling \$35.00.
	18	BLABE	Cash bail to apply, balance exonerated. Receipt # 7301249.
	19	NTDEF	Notice to defendant issued.
	20	DMABS	DD1-C sent to DMV. Return Code: 800
05/31/09	1	CSCLS	Case closed.
06/24/09	1	FIAPPL	NOTICE OF APPEAL RECEIVED AND FILED.
06/29/09	1	FIAPLD	Proposed Statement on Appeal filed.
07/21/09	1	APLAPN	defendant and District Court of Appeal and District Attorney's office notified of Notice of Appeal.
	2	CLCST	Chambers Work set on 07/21/2009 at 06:00 PM in Department C55.
	3	TEXT	Case forwarded to dept. C55 Judge Larsh, to set settle statement hearing.
	4	CLVCW	Case referred as Chambers Work on 07/21/2009.
08/07/09	1	NTAPDM	Notice of Hearing on Settlement of Statement on Appeal mailed to defendant, District Attorney, and City Attorney.
08/13/09	1	CLCST2	Hearing re: Appeal - Settled Statement set on 08/13/2009 at 08:30 AM in Department C55.
	2	HHELD	Hearing held on 08/13/2009 at 08:30:00 AM in Department C55 for Hearing Appeal - Settled Statement.
	3	OFJUD	Officiating Judge: Erick L. Larsh, Judge
	4	OFJA	Clerk: D. Phillips
	5	OFBAL	Bailiff.: Present
	6	OFREP	Court Reporter: Monica Ramirez
	7	APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.
	8	APDNC	Defendant not present in court.
	9	CLCON2	Hearing re: Appeal - Settled Statement continued to 08/27/2009 at 08:30 AM in Department C55 at request of Defense.
	10	NTCSL	Clerk's Office directed to send notice by letter.
08/27/09	1	HHELD	Hearing held on 08/27/2009 at 08:30:00 AM in Department C55 for Hearing Appeal - Settled Statement.
	2	OFJUD	Officiating Judge: Erick L. Larsh, Judge
	3	OFJA	Clerk: D. Phillips
	4	OFBAL	Bailiff.: Present
	5	APDNC	Defendant not present in court.
	6	APDCA	People represented by Ryan O Hodge, Deputy City Attorney, present.

Name: Park, [REDACTED]

Case: SA137669PE1A

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
COUNTY OF ORANGE

DOCKET REPORT

Case : SA137669PE 1 A

Name : Park, [REDACTED]

Date of Action	Seq Nbr	Code	Text
08/27/09	7	FITXT	Real Party in Interest's Proposed Statement on Appeal filed.
	8	TEXT	Court grants City of Santa Ana's Settled Statement.
09/09/09	1	HHELD	Hearing held on 09/09/2009 at 09:00 AM in Department C55 for Chambers Work.
	2	OFJUD	Officiating Judge: Erick L. Larsh, Judge
	3	OFJA	Clerk: D. Phillips
	4	APTXT	No appearances.
	5	FITXT	Engrossed Settled Statement. filed.
12/03/09	1	NTRFR	Receipt for records and papers on Record on Appeal prepared and forwarded to Superior Court Appellate Division, as listed on receipt.
	2	NTAPDM	Record on Appeal mailed to Appellant, and Respondent.

Clerk stamps date here when form is filed.

FILED

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

JUN 24 2003

ALAN CARLSON, Clerk of the Court

BY: *[Signature]* DEPUTY

Instructions

- This form is only for appealing in an **infraction** case, such as a case about a traffic ticket. You can get other forms for appealing in a civil or misdemeanor case at any courthouse or county law library or online at www.courtinfo.ca.gov/forms.
- Before you fill out this form, read *Information on Appeal Procedures for Infractions* (form CR-141-INFO) to know your rights and responsibilities. You can get form CR-141-INFO at any courthouse or county law library or online at www.courtinfo.ca.gov/forms.
- You must file this form **no later than 30 days** after the trial court issued the judgment or order you are appealing (see rule 8.902(b) of the California Rules of Court for very limited exceptions). **If your notice of appeal is late, the court will not take your appeal.**
- Fill out this form and make a copy of the completed form for your records.
- Take or mail the completed form to the clerk's office for the same trial court that issued the judgment or order you are appealing. It is a good idea to take or mail an extra copy to the clerk and ask the clerk to stamp it to show that the original has been filed.

You fill in the name and street address of the court that issued the judgment or order you are appealing:

Superior Court of California, County of
Orange

You fill in the number and name of the trial court case in which you are appealing the judgment or order:

Trial Court Case Number:
SA 137669 PE

Trial Court Case Name:
The People of the State of California
v. **[Redacted] Park**

The clerk will fill in the number below:

Appellate Division Case Number:

1 Your Information

a. Appellant (the party who is filing this appeal):

Name: **[Redacted] Park**

Street address: **[Redacted]**
Street City State Zip

Mailing address (if different): **[Redacted]**
Street City State Zip

Phone: **[Redacted]** E-mail (optional): _____

b. Appellant's lawyer (skip this if the appellant is filling out this form):

The lawyer filling out this form (check (1) or (2)):

(1) was the appellant's lawyer in the trial court. (2) is the appellant's lawyer for this appeal.

Name: _____ State Bar number: _____

Street address: _____
Street City State Zip

Mailing address (if different): _____
Street City State Zip

Phone: _____ E-mail (optional): _____

Fax (optional): _____

6

Trial Court Case Number:

SA 137669 PE

Trial Court Case Name: People v. [REDACTED] Park

2 Judgment or Order You Are Appealing

I am/My client is appealing (check a, b, or c):

- a. the final judgment of conviction in the case (Penal Code section 1466(2)(A)).

The trial court issued (rendered) this judgment on (fill in the date): 5/27/09

- b. an order made by the trial court after judgment that affects an important (substantial) right of mine/my client (Penal Code section 1466 (2)(B)).

The trial court issued this order on (fill in the date): _____

- c. other (describe the action you are appealing and indicate the date the trial court took the action):

Record of the Oral Proceedings

You do not have to provide the appellate division with a record of what was said in the trial court (this is called a record of the "oral proceedings"). But if you do not, the appellate division will not be able to consider what was said during those proceedings in determining whether an error was made in the trial court proceedings.

3 I elect (choose)/My client elects to proceed (check a or b):

- a. WITHOUT a record of the oral proceedings in the trial court (skip item 4); sign and date this form). I understand that if I proceed without a record of the oral proceedings, the appellate division will not be able to consider what was said during those proceedings in deciding whether a legal error was made.

(Write initials here): _____

- b. WITH a record of the oral proceedings in the trial court (complete item 4 below). I understand that, if I elect (choose) to proceed WITH a record of the oral proceedings in the trial court, I have to choose the record I want and take the actions described below to make sure this record is provided to the appellate division. I understand that if I do not take the actions described below and the appellate division does not receive this record, I am not likely to succeed in my appeal.

(Write initials here): DP

4 I want to use the following record of what was said in the trial court proceedings in my case (check and complete only one—a, b, c, or d):

- a. **Statement on Appeal.** A statement on appeal is a summary of the trial court proceedings approved by the trial court. See form CR-141-INFO for information about preparing a proposed statement. (Check (1) or (2)):



Trial Court Case Name: People v [REDACTED] Park

④ a. (continued)

- (1) I have attached my proposed statement on appeal to this notice of appeal. (If you are not represented by an attorney in this appeal, you must use Proposed Statement on Appeal (Infraction) (form CR-143) to prepare and file this proposed statement. You can get form CR-143 at any courthouse or county law library or online at www.courtinfo.ca.gov/forms.)
- (2) I have NOT attached my proposed statement. I understand that I must serve and file this proposed statement in the trial court within 20 days of the date I file this notice of appeal and that if I do not file the proposed statement on time, the court may dismiss my appeal.

OR

- b. **Transcript From Official Electronic Recording.** This option is available only if an official electronic recording was made of what was said in the trial court. Check with the trial court to see if an official electronic recording was made in your case before choosing this option. (Check (1) or (2)):
- (1) I will pay the trial court clerk's office for this transcript myself. I understand that if I do not pay for this transcript, it will not be prepared and provided to the appellate division.
- (2) I am asking that this transcript be prepared at no cost to me because I cannot afford to pay this cost. I have completed and attached *Defendant's Financial Statement on Eligibility for Appointment of Counsel and Reimbursement and Record on Appeal at Public Expense* (form MC-210). (You can get form MC-210 at any courthouse or county law library or online at www.courtinfo.ca.gov/forms. The court will review this form to decide if you are eligible for a free transcript.)

OR

- c. **Copy of Official Electronic Recording.** This option is available only if an official electronic recording was made of what was said in the trial court, the court has a local rule for the appellate division permitting the use of the official electronic recording itself as the record of the proceedings, and you and the respondent (the prosecuting agency) have agreed (stipulated) that you want to use the official electronic recording itself as the record of what was said in your case. Check with the trial court to see if an official electronic recording was made in your case before choosing this option. You must attach a copy of the agreement (stipulation) between you and the respondent to this notice. (Check (1) or (2)):
- (1) I will pay the trial court clerk's office for this official electronic recording myself. I understand that if I do not pay for this recording, it will not be provided to the appellate division.
- (2) I am asking that this official electronic recording be provided at no cost to me because I cannot afford to pay this cost. I have completed and attached *Defendant's Financial Statement on Eligibility for Appointment of Counsel and Reimbursement and Record on Appeal at Public Expense* (form MC-210). (You can get form MC-210 at any courthouse or county law library or online at www.courtinfo.ca.gov/forms. The court will review this form to decide if you are eligible for a free copy of the official electronic recording.)

Trial Court Case Number:

Trial Court Case Name: People vs. [REDACTED] Park

SA 137669 PE

④ (continued)

OR

d. **Reporter's transcript.** *This option is available only if there was a court reporter in the trial court who made a record of what was said in court. Check with the trial court to see if there was a court reporter in your case before choosing this option. (Check (1) or (2)):*

(1) I will pay the trial court clerk's office for this transcript myself when I receive the court reporter's estimate of the cost of the transcript. I understand that if I do not pay for this transcript, it will not be prepared and provided to the appellate division.

(2) I am asking that this transcript be prepared at no cost to me because I cannot afford to pay the cost. I have completed and attached *Defendant's Financial Statement on Eligibility for Appointment of Counsel and Reimbursement and Record on Appeal at Public Expense* (form MC-210). (You can get form MC-210 at any courthouse or county law library or online at www.courtinfo.ca.gov/forms. The court will review this form to decide if you are eligible for a free reporter's transcript.)

REMINDER: Except in the very limited circumstances listed in rule 8.902(b), you must file this form no later than 30 days after the trial court issued the judgment or order you are appealing in your case. If your notice of appeal is late, the court will not take your appeal.

Date:

6/24/09

[REDACTED] Park
Type or print your name

[REDACTED]
Signature of appellant or attorney

1 JOSEPH W. FLETCHER (SBN 96813)
CITY ATTORNEY
2 RYAN O. HODGE (SBN 234047)
DEPUTY CITY ATTORNEY
3 CITY OF SANTA ANA
20 CIVIC CENTER PLAZA M-29
4 P.O. BOX 1988
SANTA ANA, CALIFORNIA 92702
5 TELEPHONE: (714) 647-5201
FACSIMILE: (714) 647-6515

6 Attorneys for CUSTODIAN OF RECORDS OF THE
7 CITY OF SANTA ANA POLICE DEPARTMENT

RECEIVED
AUG 14 2009
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
[Signature]

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

11 PEOPLE OF THE STATE OF CALIFORNIA,) Case No.: SA137669PE
12 Plaintiff/Respondent,)
13 vs.) **NOTICE OF RULING AND NOTICE OF**
14 **[REDACTED] PARK,**) **CONTINUANCE OF HEARING ON**
15 Defendant/Appellant.) **STATEMENT ON APPEAL**
16) Date: August 27, 2009
17) Time: 8:30 a.m.
18) Dept.: C55
19)
20 CITY OF SANTA ANA POLICE)
21 DEPARTMENT,)
22 Real Party In Interest.)

20 TO DEFENDANT/APPELLANT AND THIS HONORABLE COURT:
21 NOTICE IS HEREBY GIVEN that on August 13, 2009, the Court granted City of Santa
22 Ana's Motion to Intervene as a third party in interest and that this office should be included on
23 the service list of any future filings.

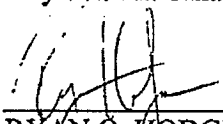
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FURTHER NOTICE IS HEREBY GIVEN that the Court continued the Hearing on Statement on Appeal to August 27, 2009 at 8:30 a.m. in department C55 of the above-entitled Court located at 700 Civic Center Drive West, Santa Ana.

JOSEPH W. FLETCHER
City Attorney
City of Santa Ana

Dated: August 14, 2009

By: 
RYAN O. HODGE
Deputy City Attorney

1
2
3 **PROOF OF SERVICE**
(C.C.P. SECTION 1013(a), 2015.5)

4 **STATE OF CALIFORNIA, COUNTY OF ORANGE**

5 I am employed in the aforesaid county; I am over the age of eighteen and not a party to
6 the within action; my business address is 20 Civic Center Plaza, Santa Ana, California 92702.

7 On August 14, 2009, I served the foregoing document described as:

8 **NOTICE OF RULING AND NOTICE OF CONTINUANCE OF HEARING**
9 **ON STATEMENT ON APPEAL**

10 in this action by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

11 [REDACTED] Park
12 [REDACTED]
13 [REDACTED]

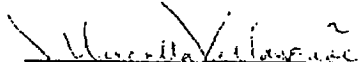
14 I caused to be delivered by courier, such envelope by hand to the office of the addressee(s).

15 I am readily familiar with my employer's practice of collection and processing
16 correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service
17 on that same day with postage thereon fully prepaid at Santa Ana, California in the ordinary
18 course of business. I am aware that on motion of the party served, service is presumed invalid if
19 postal cancellation date or postage meter date is more than one day after date of deposit for
20 mailing in affidavit.

21 The document was transmitted by facsimile transmission and was reported as complete and
22 without error.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.

25 Executed on August 14, 2009, at Santa Ana, California.

26
27
28
29 
30 Marcella Villaseñor

Superior Court Case Number:SA137669PE

Appellate Division Case Number:

I, ALAN CARLSON, CHIEF EXECUTIVE OFFICER AND CLERK OF THE SUPERIOR COURT for the county of Orange, State of California, hereby certify that the foregoing is a true and correct transcript.



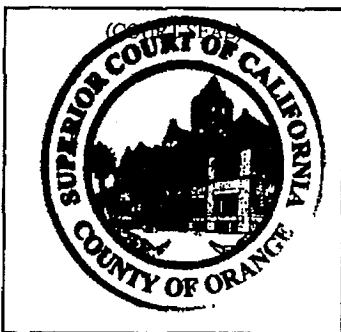
ALAN CARLSON, Chief Executive Officer and Clerk

By: C. Gonzalez
C. Gonzalez, Deputy Clerk

Pursuant to rule 8.913(d) of the California Rules of Court, I HEREBY CERTIFY the foregoing to be a full, true and correct Transcript on Appeal.

Original Transcript on Appeal to:
SUPERIOR COURT, APPELLATE DIVISION

DATE:12/01/09



ALAN CARLSON, Chief Executive Officer and Clerk

By: C. Gonzalez
C. Gonzalez, Deputy Clerk