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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
UNLIMITED JURISDICTION

MANOHAR RAJU, an individual, in his official capacity as the Public Defender of San Francisco; ELISA BAIER, an individual; DONNA DOYLE, an individual; JOHN DUNBAR, an individual; ROSE MARIE SIMS, an individual,

Plaintiffs and Petitioners,

v.

SUPERIOR COURT OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO, an agency of the State of California; SAMUEL K. FENG, an individual, in his official capacity as Presiding Judge of San Francisco Superior Court; T. MICHAEL YUEN, an individual, in his official capacity as Chief Executive Officer of the San Francisco Superior Court,

Defendants and Respondents.

Case No. CGC-21-594671

PETITIONERS' NOTICE OF MOTION AND MOTION FOR PEREMPTORY WRIT OF MANDATE

Date: October 25, 2021

Time: 9:30 a.m.

Dept: 302

Hon. Ethan P. Schulman

ELECTRONICALLY

FILED

Superior Court of California,
County of San Francisco

09/28/2021

Clerk of the Court

BY: EDNALEEN ALEGRE

Deputy Clerk

1 **NOTICE OF MOTION AND MOTION FOR PEREMPTORY WRIT**

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

3 PLEASE TAKE NOTICE that on October 25, 2021, at 9:30 a.m., or as soon thereafter
4 as this matter may be heard in Department 302 of the Superior Court of the State of California
5 for the County of San Francisco, located at 400 McAllister Street, San Francisco, California
6 94102 before the Honorable Ethan P. Schulman, Plaintiffs and Petitioners Manohar Raju, Elisa
7 Baier, Donna Doyle, John Dunbar and Rose Marie Sims (hereinafter “Petitioners”) will and
8 hereby do move for a peremptory writ of mandate directing Defendants and Respondents
9 Superior Court of San Francisco, City and County of San Francisco, Hon. Samuel K. Feng, and
10 T. Michael Yuen (hereinafter “Respondents”) to:

- 11 a. expedite proceedings in criminal cases;
- 12 b. give precedence to criminal cases over any non-specialized civil matters or
13 proceedings, and requiring them to set for trial and hear criminal cases
14 without regard to the pendency of any civil matters or proceedings;
- 15 c. make all non-specialized departments in the Civic Center Courthouse
16 available for criminal trials, including felony and in-custody trials or by
17 directing other appropriate arrangements; and
- 18 d. adopt a plan to speedily eliminate the backlog of criminal cases, subject to
19 the approval and supervision of the Court.

20 This motion is based upon this Notice of Motion and Motion for Peremptory Writ of
21 Mandate, the Memorandum of Points and Authorities in Support thereof, the Declarations of
22 Andre Cannon, William Cogman, Kathleen Guneratne, Steven Kloster, Oliver Kroll, Christian
23 Schreiber, Brooke Powell, Aleem Raja, Tyler Ramirez, and in support of the motion; the
24 Complaint for Declaratory and Injunctive Relief and Verified Petition for Writ of Mandate
25 filed in this matter on September 14, 2021; and such other papers, evidence, and argument as
26 may be presented at or prior to the time of the hearing.

1 Wherefore, Petitioners hereby request that this Court issue a peremptory writ in the
2 terms set out above.

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4 Dated: September 28, 2021

Respectfully submitted,

5 OLIVIER SCHREIBER & CHAO LLP
6 MILLER SHAH LLP

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