

Supreme Court Case No. _____

**IN THE
SUPREME COURT OF CALIFORNIA**

**DOE 2, an individual, DOE 5, an individual AND
WITNESS NATASSIA M., an individual,**
Petitioners,

v.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES,**
Respondent,

**THE PEOPLE OF THE STATE OF
CALIFORNIA,**
Real Party in Interest.

PETITION FOR REVIEW

**AFTER DENIAL BY THE COURT OF APPEAL OF A
PETITION FOR WRIT OF MANDATE, ETC. IN CASE
NO. B326515, FROM A RULING IN LOS ANGELES
SUPERIOR COURT CASE NO. BA484270 BY THE
HONORABLE LISA B. LENCH, JUDGE**

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PETITION FOR REVIEW
ISSUES PRESENTED

This Petition is filed on behalf of three “victims,” as defined in Article I, §28(e) of the California Constitution (hereinafter “Marsy’s Law”), of sex crimes committed by criminal defendant Harvey Weinstein. Weinstein was convicted in Los Angeles Superior Court case no. BA484270 of rape, sexual penetration by foreign object and forcible oral copulation of Jane Doe 1, who is not a Petitioner in this matter.

On its face, Marsy’s Law defines “a ‘victim’” as “a person who suffers direct or threatened physical, psychological... harm as a result of the commission or attempted commission of a crime.” *California Constitution*, Art. I, §28(e). That provision grants crime victims such as the Petitioners a **constitutional** right “[t]o be heard, upon request, at any proceeding, including any...sentencing...or any proceeding in which a right of the victim is at issue.” *California Constitution*, Art. I, §28(b)(8).

The Petitioners are not only “victims” of sex crimes by Weinstein within the meaning of Marsy’s Law (*California Constitution*, Art. I, §28(e)), they were each also an integral part of the prosecution that resulted in Weinstein’s conviction. He was charged with sexually assaulting Petitioner Jane Doe 2, and the jury voted 10 to 2 in favor of convicting him on that charge. He was also charged with sex crimes against Jane Doe 5

based on her grand jury testimony, but the People announced that they were unable to proceed on those charges. Natassia M., the third Petitioner, was allowed by the Superior Court to testify at Weinstein’s criminal trial as an *Evidence Code* §1108 witness regarding a sexual assault he perpetrated upon her.

Prior to Weinstein’s sentencing hearing, and with the support of the prosecution, each of the Petitioners requested, in writing and through oral argument, permission to present her own victim impact statement at his sentencing. The Superior Court denied all three requests.

Those denials amounted to a disregard for the Petitioners’ constitutional rights, and the reasons announced for those denials are contrary to the language and intent of Marsy’s Law. Moreover, the Superior Court’s reasons are unsupported by any authority in the Constitution or published cases of this State.

The Petitioners sought mandamus in the Court of Appeal, but their petition was summarily denied (See Exhibit A). Since crime victims have no right to appeal in a criminal case, *Crump v. Appellate Division of Superior Court* (2019) 37 Cal.App.5th 222, 240 [249 Cal.Rptr.3d 611, 624], this Petition for Review represents the Petitioners’ last chance for vindication of their constitutional rights.

The definition of a “victim” in Marsy’s Law contains no requirement that a defendant be charged or convicted of a crime against a particular

victim before that victim is allowed to present a victim impact statement at the criminal defendant's sentencing. Marsy's Law does not mention the word "conviction" at all in its' definition of a "victim." Indeed, the notion of a conviction as a requirement is contrary to the rights granted in Article I, §28(b)(8) right of a victim to be heard in "any proceeding in which a right of the victim is at issue." By definition, the term "any proceeding" includes proceedings prior to, i.e., in the absence of, a conviction of a crime as to that victim.

Marsy's Law rights are fundamental constitutional rights, and "fundamental constitutional rights not subject to traditional forfeiture rules." *People v. Ramos* (2022) 77 Cal.App.5th 1116, 1133 [293 Cal.Rptr.3d 170, 184]. There are no exceptions to those rights in Article I, §28, and there are no conceivable circumstances in which rights of this nature can be judicially revoked or disregarded. No such circumstances have ever been announced by the appellate courts.

These Petitioners are not members of the public who claim harm unrelated to the criminal case before the Court and who simply wish to make a statement. Each of the Petitioners was an integral part of the prosecution of the criminal defendant, either as a charged victim ***selected by the prosecution*** or as a ***witness whom the Court allowed to testify*** under *Evidence Code* §1108, based upon the defendant's conduct toward them.

There is no judicial guidance on (1) whether a victim of a crime committed by a criminal defendant is a Marsy’s Law “victim” of that defendant if the defendant has not been convicted of a crime as to that victim, (2) whether there are circumstances in which a crime “victim” is not allowed to present a victim impact statement in a particular criminal case and (3) whether a court may otherwise limit the Marsy’s Law right of a “victim” to present a victim impact statement in a particular case. In the absence of any published authority on those subjects, this Petition presents the following issues:

1. Is an individual who testifies in a criminal case either as a charged victim of the defendant, or as an *Evidence Code* §1108 witness concerning charged conduct of the defendant, a “victim” of that defendant for purposes of the Marsy’s Law right to present a victim impact statement at the defendant’s sentencing?
2. Does the definition of a “victim” in Marsy’s Law, California Constitution, Article I, §28(e), include an individual who was the victim of a defendant’s criminal conduct if the defendant was not convicted of a crime committed against that individual?
3. The Superior Court refused to allow a victim impact statement from the Petitioners because, according to that Court, there was a possible retrial of the charges with respect to one petitioner, petitioners were not “victims of crimes in California” and the

charges were dropped as to one Petitioner. Marsy’s Law contains no exception for “victims” as to whom there might be a retrial, for “victims: as to whom charges have been dropped, or for “victims” of crimes committed out of state by the defendant. On what basis, or under what circumstances, if any, can a court refuse to allow a Marsy’s Law victim the right to present a victim impact statement at a sentencing hearing?

While Marsy’s Law does not qualify “victim” status upon any particular form of crime, the Petitioners are victims of sex crimes by the defendant. “[R]ape in general... are heinous crimes that are all too prevalent in our society and...all appropriate steps should be taken to protect the potential victims of such crimes.” *Margaret W. v. Kelley R.* (2006) 139 Cal.App.4th 141, 158 [42 Cal.Rptr.3d 519, 532].

INTRODUCTION

WHY REVIEW SHOULD BE GRANTED

Marsy’s Law guarantees certain fundamental, clearly articulated and unconditional rights to crime victims. Indeed, the Constitution itself contains the best exposition of the nature of those rights: “Victims of crime have a collectively shared right to expect that persons convicted of committing criminal acts are sufficiently punished in both the manner and the length of the sentences imposed by the courts of the State of California.” Cal. Const., Art. I, §28(a)(5). To secure that right, Marsy’s

Law guarantees crime victims the constitutional right “To be heard, upon request, at any proceeding, including any...sentencing...or any proceeding in which a right of the victim is at issue.” California Constitution, Art. I, §28(b)(8). Commenting on the Marsy’s Law element of restitution, the Court of Appeal in *People v. Gross* (2015) 238 Cal.App.4th 1313, 1318 [190 Cal.Rptr.3d 472, 475] held: “A victim's right to restitution is, therefore, a constitutional one; it cannot be bargained away or limited, nor can the prosecution waive the victim's right to receive restitution.”

It has been held that courts “ ‘should, as a general matter, afford Marsy's Law “a broad interpretation protective of victims” rights.’ ” *People v. Lombardo* (2020) 54 Cal.App.5th 553, 563 [269 Cal.Rptr.3d 62, 71, 54 Cal.App.5th 553, 563]. This Petition arises out of the language of the California Constitution itself, and concerns access to rights that are the very purpose of Marsy’s Law, which include (1) “ensuring that crime victims are treated with respect and dignity” (California *Constitution* Art. I, § 28(a)(2), (2) participation in the “collectively shared right to expect that persons convicted of committing criminal acts are sufficiently punished” (California *Constitution*, Art. I, § 28(a)(5)) and (3), the right “to be heard” in sentencing (California *Constitution*, Art. I, § 28(b)(8).

“[T]he intent of Marsy's Law is to ‘provide victims “due process” by affording them an opportunity to be heard in proceedings concerning the prosecution, punishment, and release of those who victimized them.’

Thus, even in cases in which the decision making procedure will not alter the outcome of governmental action, due process may nevertheless require that certain procedural protections be granted the individual in order to protect important dignitary values, or, in other words, ‘to ensure that the method of interaction itself is fair in terms of what are perceived as minimum standards of political accountability—of modes of interaction which express a collective judgment that human beings are important in their own right, and that they must be treated with understanding, respect, and even compassion.’””” *People v. Hannon* (2016) 5 Cal.App.5th 94, 106 [209 Cal.Rptr.3d 408, 418].

The Petitioners were not strangers to the prosecution of Harvey Weinstein. To the contrary, each of them was embedded into the prosecution of that defendant. They were either the subject of criminal charges (sex crimes) against Weinstein in this very matter or, in the case of one Petitioner, allowed by the Court to testify under *Evidence Code* §1108 regarding Weinstein’s conduct toward her.

Despite those roles in the prosecution, the Petitioners were denied their rights under Marsy’s Law in connection with the defendant’s sentencing. This Petition presents important issues that have never been addressed by the Courts of this State, and highlights a pressing need for Supreme Court guidance on important issues involving victims’ rights.

There was no legal basis for the denial of the Petitioners' rights under Marsy's Law. No case supports an argument that they are not "victims" as defined in that section of the Constitution. No case supports the reasons articulated by the Superior Court for its decision to deny these victims their constitutional right to present victim impact statements.

This Petition therefore demonstrates a pressing need for guidance to the lower courts on (1) the circumstances under which Marsy's law requires that crime victims be allowed to present victim impact statements at sentencing hearings and (2) whether trial courts can limit the presentation of Marsy's Law victim impact statements at sentencing hearings.

STATEMENT OF THE CASE

A. Nature Of The Case

Defendant Harvey Weinstein was indicted on March 15, 2021 for various sexual crimes against Jane Doe 1, Jane Doe 2 (one of the Petitioners), Jane Doe 3, Jane Doe 4 and Jane Doe 5 (one of the Petitioners). After a trial during October and December of 2022 in the Respondent Court, Weinstein was convicted of sexually assaulting Jane Doe 1. His sentencing was set for February 23, 2023.

Each of the Petitioners was a part of the prosecution that resulted in Weinstein's conviction. Their roles in the case were as follows:

Petitioner Jane Doe 2: Weinstein was charged with felony sexual battery (*Penal Code* §243.4(a)) of Jane Doe 2. That crime was the subject

of count 4 of the Amended Felony Complaint against him. Count 4 was tried before the jury in case no. BA483663, which voted 10-2 in favor of convicting the defendant on that charge.

Petitioner Jane Doe 5: Weinstein was charged with (1) oral copulation by use of force, violence, duress, menace or fear of immediate and unlawful bodily injury (*Penal Code* §288a(c)(2)), reflected in Count 8 in case no. BA483663, (2) rape by use of force, violence, duress, menace or fear of immediate and unlawful bodily injury (*Penal Code* § 261(a)(2)), reflected in Count 9, (3) oral copulation by use of force, violence, duress, menace or fear of immediate and unlawful bodily injury (*Penal Code* § 288a(c)(2)(A)), reflected in Count 10, (4) forcible oral copulation (*Penal Code* §288a(c)(2), reflected in Count 10, and (5) rape by use of force, violence, duress, menace or fear of immediate and unlawful bodily injury (*Penal Code* §261(a)(2)), reflected in Count 11, as to Jane Doe 5. She testified before a grand jury investigating Weinstein’s conduct before he was charged with crimes against her.

Petitioner Natassia M.: With Court permission, Natassia M testified at trial about a sexual assault by Weinstein as an *Evidence Code* §1108 witness. Her testimony was allowed as to the charges against Jane Doe 1, for which the defendant was convicted.

B. Proceedings in the Superior Court

On January 8, 2023 and January 11, 2023, the Petitioners lodged written requests under Marsy's Law for leave to present victim impact statements at Weinstein's February 23, 2023 sentencing hearing.¹

The written requests by the Petitioners to the Superior Court argued (1) that each of the moving parties is a "victim" as defined in the California *Constitution*, Article I, §28, who has the right to be heard at the defendant's sentencing hearing, (2) that a sentencing judge should consider all relevant facts, not just those presented by the victim for which there is a conviction, and (3) that a sentencing court may consider all reliable information relative to the circumstances of the crime and to the convicted person's life and characteristics. *People v. Zikorus* (1983) 150 Cal.App.3d 324, 331 [197 Cal.Rptr. 509, 513].

The People also asked the Superior Court to allow the Petitioners to present victim impact statements. That request was contained in a January 12, 2023 written motion.

Weinstein filed written opposition to the Petitioners' requests. The Petitioners filed a written reply in support of those requests.

Oral argument on those requests was conducted on February 16, 2023, seven calendar days before the sentencing hearing. After oral argument, the Respondent Court announced orally from the bench that none

¹ The requests by the Petitioners were through their own counsel, as permitted by Marsy's Law.

of the Petitioners would be allowed to present victim impact statements on the following grounds:

1. “As it now stands there is an open case with respect to Jane Doe number 2...and I think it would be wholly inappropriate for me to consider what they have to say when there is still a case pending when it comes to Mr. Weinstein's sentence for the reasons that right now with respect to Jane Doe 2... he is presumed to be innocent and...if the people choose to proceed to trial on the counts involving those two alleged victims, there has to be a jury pool from which the court can select a jury that is untainted any further than it already has potentially been tainted, and I have to preside over the trial without being influenced by non-testimonial evidence.”

2. “With respect to Jane Doe number 5 and any 1108 victims, they are not right now people who have an issue that is to be considered at the time of sentencing. The 1108 victims are not victims of crimes in California and the charges with respect to Jane Doe number 5 have been dismissed. I don't think it's appropriate for the court to consider the issues with respect to those victims or alleged victims when it comes time to select the appropriate sentence for Mr. Weinstein.”

C. The Mandamus Petition

On February 21, 2023, the Petitioners filed a petition in the Court of Appeal (Second Appellate District) seeking a stay of the sentencing hearing

in case no. BA484270, and a peremptory writ of mandamus, peremptory writ of prohibition, or other writ or order commanding the Superior Court to set aside its ruling denying the Petitioners the right to present victim impact statements at Weinstein’s sentencing. The Petition argued, inter alia, that “mandamus may lie to correct constitutional violations,” *Edward W. v. Lamkins* (2002) 99 Cal.App.4th 516, 529 [122 Cal.Rptr.2d 1, 10], and that individuals covered by Marsy’s Law are “beneficially interested” in enforcement of Marsy’s Law for mandamus purposes. *Crump v. Appellate Division of Superior Court* (2019) 37 Cal.App.5th 222, 241–242 [249 Cal.Rptr.3d 611, 625, 37 Cal.App.5th 222, 241–242].

In the mandamus petition, the Petitioners addressed the announced bases for the trial court’s denial of permission to present victim impact statements.

On March 2, 2023, the Court of Appeal issued an order summarily denying the petition. A copy of the order is attached as Exhibit “A.”

D. This Petition For Review Is Timely And The Petitioners Have Standing To Seek Review.

A petition for review must be served and filed within 10 days after the court of appeal's decision becomes final as to that court. Rule 8.500(e)(1), *California Rules of Court*. An order denying a writ petition without issuance of an alternative writ, order to show cause or writ of

review is final immediately upon filing. Rule 8.490(b)(1)(A) & (B),
California Rules of Court.

The underlying mandamus petition was denied on March 2, 2023.
The tenth day following that denial falls on Sunday March 12, 2023.
Pursuant to California Government Code §6700, incorporated into *Code of
Civil Procedure* §135(a), Sunday is considered a legal holiday, so the
period for filing a petition for review is by law “extended to and including
the next day that is not a holiday.” *California Code of Civil Procedure*
§12a(a). This Petition is therefore timely.

Although the sentencing hearing has already taken place, the
Petitioners have standing to seek review. This case is a classic example of a
situation involving constitutional rights which are capable of repetition but,
due to the nature of the Superior Court process in criminal actions, elusive
of review. “A reviewing court may exercise its inherent discretion to
resolve an issue rendered moot by subsequent events if the question to be
decided is of continuing public importance and is a question capable of
repetition, yet evading review.” *People v. Alsafar* (2017) 8 Cal.App.5th
880, 883 [214 Cal.Rptr.3d 186, 188].

LEGAL ARGUMENT

Article I, §28 of the California *Constitution*, commonly referred to as
Marsy’s Law, declares: “Victims of crime have a collectively shared right
to expect that persons convicted of committing criminal acts are sufficiently

punished in both the manner and the length of the sentences imposed by the courts of the State of California.” California *Constitution.*, Art. I, § 28(a)(5). To effectuate that right, Marsy’s Law grants crime victims a constitutional right “[t]o be heard, upon request, at any proceeding, including any...sentencing...or any proceeding in which a right of the victim is at issue.” California *Constitution*, Art. I, §28(b)(8). “[T]he intent of Marsy's Law is to ‘provide victims “due process” by affording them an opportunity to be heard in proceedings concerning the prosecution, punishment, and release of those who victimized them.’” *People v. Hannon* (2016) 5 Cal.App.5th 94, 106 [209 Cal.Rptr.3d 408, 418].

This Petition turns upon the definition of a “victim” contained in Marsy’s Law. According to the Constitution: “As used in this section, a ‘victim’ is a person who suffers direct or threatened physical, psychological... harm as a result of the commission or attempted commission of a crime.” Article I, §28(e). Each Petitioner meets those criteria.

Marsy’s Law defines a “victim” in reference to “*a crime*” as opposed to “the crime” for which the defendant was convicted. The Constitution does not define a “victim” as someone for whom the criminal defendant was charged for conduct as to that victim. Indeed, the face of Marsy’s Law evidences an intent to define the term “victim” broadly. According to the Constitution, the term “ ‘victim’ also includes the person's

spouse, parents, children, siblings, or guardian...” The definition includes in the definition of a “victim” those who suffered “attempted commission of a crime.”

If these Petitioners are “victims,” they had the constitutional right to present victim impact statements. Nothing in the constitution or case law has ever said that the rights of a “victim” to present a victim impact statement may be denied. These Petitioners, however, were denied that right. They urge the Supreme Court to review this matter, to confirm their rights, or at least to clarify the law.

A. As To All Petitioners

Each of the Petitioners falls squarely within the definition of a victim contained in Article I, §28(e), and therefore had the constitutional right “[t]o be heard, upon request, at any proceeding, including any...sentencing...” of the defendant. California *Constitution* Art. I, § 28(b)(8).² None of these Petitioners were allowed to exercise that right.

Although Weinstein was not convicted of any crimes against the Petitioners, no case has ever held that Marsy’s Law requires that a defendant be convicted of a crime against the victim who wants to present a

² The law provides that a “victim” may be heard either personally or through “(c)(1)... the retained attorney of a victim, a lawful representative of the victim...” California *Constitution*, Art. I, § 28(c)(1). In the underlying proceedings, the Petitioners were represented by their own attorneys with respect to enforcement of their Marsy’s Law rights.

victim impact statement as a condition to that victim's right to present such a statement. There is a glaring need for the Supreme Court to either confirm the clear language of Article I, §28(e) by holding that a victim's constitutional rights are not contingent upon the criminal defendant's conviction of a crime as to that victim, or to state that the law must be interpreted differently despite its broad language. If, contrary to the unqualified language of Marsy's Law, there are limits upon the right of a Marsy's Law victim to present a victim impact statement, the public and all of the courts would benefit from clarification and explanation of those limits.

Here, while the Superior Court did not find make any finding on "victim" status for purposes of Marsy's Law, that Court denied the Petitioners permission to present victim impact statements for various reasons. None of those reasons has ever been recognized as a basis for denying a Marsy's Law victim the right to present a victim impact statement. Moreover, the bases for the Superior Court's decision to refuse them permission to present victim impact statements were improper.

If there are bases for denying Marsy's Law "victims" the right to present victim impact statements, they have not been announced by any appellate court in a published opinion. It follows that there is a need for guidance as what those bases, if any are, are and how they are to be applied.

B. As To Jane Doe No. 2

As to Jane Doe no.2, the possibility of Weinstein being retried does not eliminate her status as a Marsy’s Law “victim.” More importantly, there is no basis for finding that the possibility of a retrial justifies declaring a forfeiture of the constitutional right to present a victim impact statement at a sentencing hearing. Commenting on the Marsy’s Law element of restitution, the Court of Appeal in *People v. Gross* (2015) 238 Cal.App.4th 1313, 1318 [190 Cal.Rptr.3d 472, 475] held: “A victim's right to restitution is, therefore, a constitutional one; it cannot be bargained away or limited, nor can the prosecution waive the victim's right to receive restitution.”

Again as to Jane Doe no. 2, there was no basis for causing a forfeiture of constitutional rights under Marsy’s Law based on concerns about tainting a jury pool. It is beyond dispute that the underlying case has already received massive publicity. The possibility of victim impact statements tainting the jury pool in the event of a retrial is simply speculation for which there is no evidentiary support. “Likewise, we agree with the district court that while the events surrounding the instant case have gained some notoriety, the possibility that the jury pool will become so tainted as to prevent the defendants here from obtaining fair trials is “too speculative...” *U.S. v. Graham* (2d Cir. 2001) 257 F.3d 143, 155.

If there is a retrial of any count as to Jane Doe no.2, it would be before a different jury, and it is impossible to see how, in the face of the

conviction that has already taken place, as well as the massive publicity surrounding this case, a victim impact statement from Doe 2 would impact a future retrial. If, on the other hand, there is no retrial, then in the absence of review by the Supreme Court, the trial court’s reasoning will result in the permanent loss of the constitutional right to present a victim impact statement at sentencing.

C. As To Jane Doe No. 5

As to Jane Doe no.5, the dismissal of charges does not alter her status as a constitutionally defined “victim” of Weinstein’s criminal conduct. The Courts “should, as a general matter, afford Marsy’s Law “a broad interpretation protective of victims” rights.’ ” *People v. Lombardo* (2020) 54 Cal.App.5th 553, 563 [269 Cal.Rptr.3d 62, 71, 54 Cal.App.5th 553, 563]. It is clear that the dismissal of charges is irrelevant to “victim” status because Article I, §28(e) defines a “victim” as “a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act.

D. As To Evidence Code §1108 Witness Natassia M.

As to *Evidence Code* §1108 witness Natassia M., nothing in Marsy’s Law precludes her “victim” status. Natassia M, who testified as a Section 1108 witness, is also a victim for these purposes. Nothing in the statute excludes witnesses from being victims for purposes of Marsy’s Law, and no case has been cited which creates such an exclusion. Moreover, *People vs*

Shenouda (2015) 240 Cal.App.4th 358, 369 [192 Cal.Rptr.3d 725, 735] indicates that a Court can permit those witnesses to testify at sentencing: “[T]he court also looked to the Evidence Code section 1108 evidence of defendant's other sexual offenses and the conviction in this case to find defendant is a “serial offender” who would be “a danger to others if not imprisoned. ... Since the trial court was permitted to consider “[t]he likelihood that if not imprisoned the defendant will be a danger to others” (Cal. Rules of Court, rule 4.414(b)(8)) as well as any “criteria reasonably related to the decision being made” (Cal. Rules of Court, rule 4.408(a)), we cannot say the court's decision was arbitrary, irrational, or based on an improper consideration.” *Id.*, 240 Cal.App.4th at 369 [192 Cal..Rptr.3d at 735].

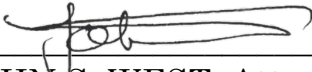
CONCLUSION

This case points out important areas of the law which require guidance from the Supreme Court. In fact, the Petitioners respectfully submit that important Constitutional rights have been lost due to gaping voids in California jurisprudence surrounding the rights of victims to present victim impact statements. Those voids resulted in an injustice, and are certain to cause injustice in future cases. Review is therefore appropriate.

Respectfully submitted,

Dated: May 13, 2022

ALLRED, MAROKO & GOLDBERG
GLORIA ALLRED
JOHN S. WEST

By 
JOHN S. WEST, Attorneys for
Petitioners

CERTIFICATE OF WORD COUNT

I, Gloria Allred, hereby certify as follows:

I am one of the attorneys for the Petitioner in this matter before the Court of Appeal. The foregoing Petition for Review contains 4,407 words as calculated by the word count feature of Microsoft Word in the computer that was used to draft this Petition and related documents. Those numbers exclude tables, cover information, this certificate and signature blocks.

Executed at Los Angeles California on this 13th day of March, 2023.


GLORIA ALLRED

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EXHIBIT A

**“COURT OF APPEAL ORDER
DENYING PETITION FOR WRIT
OF MANDATE DATED MARCH 2,
2023”**

Document received by the CA Supreme Court.

FILED

Mar 02, 2023

EVA McCLINTOCK, Clerk

Angelica Lopez Deputy Clerk

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

JANE DOE 2, et al.,

Petitioners,

v.

THE SUPERIOR COURT OF THE
COUNTY OF LOS ANGELES,

Respondent,

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Real Party in Interest.

B326515

(Super. Ct. L.A. County
No. BA484270)

(LISA B. LENCH, Judge)

ORDER

THE COURT*:

The petition for writ of mandate with request for stay, filed
February 21, 2023, has been read and considered.

The petition is denied.

*BENDIX, Acting P. J.

CHANEY, J.

WEINGART, J.

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 6300 Wilshire Boulevard, Suite 1500, Los Angeles, California 90048.

On March 13, 2023, I served the foregoing document described **PETITION FOR AFTER DENIAL BY THE COURT OF APPEAL OF A PETITION FOR WRIT OF MANDATE, ETC. IN CASE NO. B326515, FROM A RULING IN LOS ANGELES SUPERIOR COURT CASE NO. BA484270 BY THE HONORABLE LISA B. LENCH, JUDGE** on interested parties in this action

BY U.S. MAIL: by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list.

BY ELECTRONIC SERVICE: Pursuant to Cal. Civ. Pro. §1010.6(e)(1)-(2), I caused such document to be electronically served via email to the email address (or addresses) provided in (writing or telephone) by the addressee(s).

BY PERSONAL SERVICE: I caused such envelope to be personally served on the Addressee(s) to the offices of the addressee(s).

Executed on March 13, 2023 at Los Angeles, California.

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

Ashley Morrison

ASHLEY MORRISON

Document received by the CA Supreme Court.

**ATTACHED MAILING LIST
DOE 2, an individual, DOE 5, an individual AND
WITNESS NATASSIA M., an individual v. SUPERIOR
COURT OF THE STATE OF CALIFORNIA
REAL PARTY IN INTEREST:
THE PEOPLE OF THE STATE OF CALIFORNIA**

BY ELECTRONIC SERVICE

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BY PERSONAL SERVICE

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Clara Shortridge Foltz Criminal Justice Center
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