


1 HON. JENNIFER V. DOLLARD
2 JUDGE OF THE SUPERIOR COURT
3 Courtroom 18
4 3055 Cleveland Avenue
5 Santa Rosa, CA 95403
6 (707) 521-6723

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

NOV 05 2020

BY 
Deputy Clerk

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA

9 MARK ESSICK, SONOMA COUNTY
10 SHERIFF

Case No. SCV-266914

11 Plaintiff,

**RULING AFTER HEARING ON
SUBMITTED MATTER –
REQUEST FOR WRIT OF MANDATE**

12 vs.

13 SONOMA COUNTY BOARD OF
SUPERVISORS,

14 Defendants.

15
16 Respondent's unopposed Request for Judicial Notice is GRANTED. Petitioner's
17 Writ of Mandate is DENIED, without prejudice, on the grounds the Writ is premature
18 and Petitioner fails to meet his burden to show the requested relief is warranted.
19 (*Vallejo Police Officers Assn. v. City of Vallejo* (2017) 15 Cal.App.5th 601, 611; see
20 also, *Rivero v. Lake County Board of Supervisors* (2014) 232 Cal.App.4th 1187, 1194-
21 1195; *Lockyer v. City and County of San Francisco* (2004) 33 Cal.4th 1055, 1121;
22 *Santa Clara County Counsel Attys. Assn. v. Woodside* (1994) 7 Cal.4th 525, 539-
23 540].)

24 Challenging the proposed initiative prior to its enactment does not arise from
25 Petitioner's "performance of his duties" as Sheriff such that outside legal counsel
26 would be mandatory under Government Code section 31000.6. (See, *Rivero, supra*,
27 232 Cal.App.4th 1187, 1194-1195 ["in deciding whether the board of supervisors had a
28 duty to employ independent counsel for the [sheriff or] assessor under subdivision (a)

