

Writ of Mandate for Unemployment Benefits

If you have been denied unemployment benefits, and have exhausted all of your administrative appeals, you may petition the court to review the denial of benefits by seeking a writ of administrative mandate (or mandamus), pursuant to [California Code of Civil Procedure \(CCP\) § 1094.5](#)

(http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CCP§ionNum=1094.5).

Need info on appealing within the EDD?

The website of the [California Unemployment Insurance Appeals Board \(CUIAB\)](#) (<https://cuiab.ca.gov/appeal-information/>) provides links to forms, instructions, and a video on appealing within the EDD.

A petition for writ of administrative mandate is type of civil case. It is a request to have the court review the agency's decision, and to issue a writ directing the agency to set aside its decision, reconsider its decision, or take some other type of action. You may not file this type of petition until you exhaust all administrative remedies.

To exhaust your administrative remedies in your unemployment insurance benefit case, you must have completed all of the following administrative steps:

- Filed for unemployment insurance benefits with the Employment Development Department (EDD)
- Been denied benefits by EDD
- Appealed the EDD's decision within the limits stated on the denial letter (20 days)
- Attended a hearing before an administrative law judge (ALJ) to appeal the decision, and had the appeal denied by the ALJ
- Appealed the denial by the ALJ to the California Unemployment Insurance Appeals Board (Board) within the time limit specified on the decision (20 days)
- Had your final appeal denied by the Board.

You have only six months to file your Petition for Writ of Administrative Mandate from the date the California Unemployment Insurance Appeals Board mails you the notice of denial of the final appeal.

Your petition for a writ of mandate is not a new hearing or trial on the matter. Instead, the court reviews the administrative proceedings to ensure that the agency proceeded in accordance with the law, that you received a fair trial, and that there was not prejudicial abuse of discretion. Prejudicial abuse of discretion can mean that the agency did not follow the proper procedures, or that the agency's decision is not supported by the evidence and findings. In most cases, the court must rely only on the evidence that was previously presented during the administrative hearing.

In its review, the court looks at decisions of law "*de novo*," meaning that the court will make its own decision whether the correct laws were applied, whether they were applied correctly to the facts of the case, and whether proper procedure was followed.

The court will typically accept the factual findings of the administrative judge, unless the findings are not supported by substantial evidence. The judge hearing your writ of mandate request was not at the prior

hearings to see the evidence that was presented, so they will presume that the ALJ who did see the evidence is better informed when deciding the facts of the case. For this reason, when challenging factual findings, the court will determine only whether an ALJ could have reasonably come to their factual conclusion based on the evidence that was presented.

Step by Step Instructions

1. Review the Decisions

Carefully review all decisions previously issued in your case. Since you are seeking to overturn these decisions, you will want to read them carefully to understand the reasons stated for the denial. You should ideally research the law as it relates to each basis stated for the denial, so that you may make an informed decision whether or not to seek a writ of mandate.

2. Reserve a Hearing Date for your Writ

In Sacramento, to obtain a hearing date for your writ:

Contact the assigned writ department to reserve an available date and time. Each writ department's procedure for setting hearing dates is described online. Typically writs are heard on Fridays.

Prior to reserving the date, you should contact all opposing counsel (or self-represented parties) to determine a list of dates you would each find acceptable.

You will be required to file your brief at least 45 days before the hearing. Be sure that the date you reserve is far enough away to let you research, write, and file the brief on time.

3. Complete the Petition and Notice of Hearing

There is no standard Judicial Council form for the Petition for Writ of Mandate. Instead, the relevant documents must be typed on 28-line pleading paper. Customizable templates may be downloaded from these links:

- [Petition for Writ of Mandate](https://saclaw.org/wp-content/uploads/sbs-writ-of-mandate-for-unemployment-petition.rtf) (<https://saclaw.org/wp-content/uploads/sbs-writ-of-mandate-for-unemployment-petition.rtf>)
- [Notice of Hearing for Writ of Mandate](https://saclaw.org/wp-content/uploads/sbs-writ-of-mandate-for-unemployment-notice-of-hearing.rtf) (<https://saclaw.org/wp-content/uploads/sbs-writ-of-mandate-for-unemployment-notice-of-hearing.rtf>)

At the end of this Guide is a sample *Petition for Writ of Mandate* and a sample *Notice of Hearing for Writ of Mandate*. Use these as models to draft your own versions.

You will also need:

- [Civil Case Cover Sheet \(CM-010\)](http://www.courts.ca.gov/documents/cm010.pdf) (<http://www.courts.ca.gov/documents/cm010.pdf>)

Exhibits: You will need to attach a copy of each prior decision in your case to the *Petition*. Attach the **EDD's written Notice of Determination** as Exhibit A, the **ALJ's written decision** as Exhibit B, and the **CUIAB's decision** affirming or reversing the ALJ as Exhibit C. Photocopy each decision and write its exhibit letter on the bottom of the first page. If an exhibit is longer than one page, number each page A?1, A?2, A?3, and so forth.

4. Make Copies

Make two photocopies of each:

- Civil Case Cover Sheet (CM-010)
- Petition for Writ of Mandate (including the exhibits)
- Notice of Hearing for Writ of Mandate

Staple each of the copies, but leave the original unstapled so it can easily be scanned into the court's file system.

5. File Your Documents

File your documents at the [Gordon D. Schaber Courthouse](https://www.saccourt.ca.gov/locations/downtown.aspx) (<https://www.saccourt.ca.gov/locations/downtown.aspx>) at 720 Ninth Street in downtown Sacramento.

File the original and two photocopies of each document:

- Civil Case Cover Sheet (CM-010) (only the first page is required in Sacramento): original unstapled, plus two stapled copies.
- Petition for Writ of Mandate (with exhibits): original unstapled, plus two stapled copies.
- Notice of Hearing for Writ of Mandate: original unstapled, plus two stapled copies.

The filing fee is currently \$435 filing fee to file a Petition for Writ of Mandate, unless your fees are waived. Current fees are available on the [Sacramento County Superior Court's website](http://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf) (<http://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf>). If you qualify for a fee waiver, file the [Request to Waive Fees \(FW-001\)](https://courts.ca.gov/documents/fw001.pdf) (<https://courts.ca.gov/documents/fw001.pdf>) and [Order on Court Fee Waiver](https://www.courts.ca.gov/documents/fw003.pdf) (<https://www.courts.ca.gov/documents/fw003.pdf>) along with the petition. For more information, see the our guide on [Fee Waivers](https://www.saclaw.org/resource_library/fee-waiver/) (https://www.saclaw.org/resource_library/fee-waiver/).

When you file, the clerk will issue a case number and department for your *Petition*. The court will keep the original of each document, but will return the photocopies to you. In addition, the clerk will give you a number of informational documents, including a "[Guide to the Procedures for Prosecuting Petitions for Prerogative Writs](https://www.saccourt.ca.gov/civil/docs/writ-procedural-guide.pdf)" (<https://www.saccourt.ca.gov/civil/docs/writ-procedural-guide.pdf>)."

6. Have Your Documents Served

Someone over the age of eighteen who is **not a party in your case (not you)** must personally serve the California Unemployment Insurance Appeals Board and the employer (“real party in interest” in the case), or the employer’s attorney, if represented. Your server must deliver these documents:

- Civil Case Cover Sheet
- Petition for Writ of Mandate (with exhibits)
- Notice of Case Assignment (provided by the court when you file);
- “Guide to Procedures for Prosecuting Petitions for Prerogative Writs” (provided by the court when you file).

The person who is serving your documents must complete a proof of service form, [Proof of Personal Service \(POS-020\)](http://www.courts.ca.gov/documents/pos020.pdf) (<http://www.courts.ca.gov/documents/pos020.pdf>). For more information, see our guide on [Proof of Personal Service](https://www.saclaw.org/resource_library/personal-service/) (https://www.saclaw.org/resource_library/personal-service/).

Once the other parties have been served, file the original and two photocopies of the completed and signed *Proof of Personal Service* form(s) with the court. The court cannot issue any orders in the case until all responding parties have been timely served.

Next Steps

After completing the above steps, you must lodge the record of the CUIAB hearing in the court, research and write an opening brief, and attend the hearing, if necessary.

1. Request and Lodge the Administrative Record with the Court

The administrative record will contain all of the documents and orders filed in your Unemployment Insurance appeal. Send a written request to the California Unemployment Insurance Appeals Board that a copy of the administrative record be sent to the Superior Court, and a second copy to you. You will have to pay for the copies.

If your proceedings were officially recorded or had a court reporter, you may want request that a transcript of the hearing be created and lodged with the court if your argument depends in any way on what was said during your hearing.

The administrative record must be lodged with the court (the department assigned when you filed your petition) at least 25 days prior to your hearing. Consult the rules for the department hearing your writ for your judge’s preferences when lodging the record.

2. Research, Write, Serve and File Your Opening Brief

Since the burden is on the petitioner (you) to establish the legal grounds upon which you base your writ of mandate, you must serve and file an opening brief. The opposition can then serve and file an opposing brief. In response, you may then file a reply brief.

Because the legal issues in each brief are unique to a particular case, it is not feasible to include a sample brief with this Guide.

Remember the brief must be filed and served at least 45 days before the hearing.

- The opening brief must be served and filed at least 45 days before the hearing;
- The opposition brief must be filed at least 25 days before the hearing; and
- A reply brief (responding to the opposition) may be filed at least 15 days before the hearing.

Pursuant to Sacramento Superior Court Local Rule 2.26(D), the opening and opposition briefs are limited to 30 pages, while the reply brief is limited to 20 pages. The purpose of your brief is to make your legal argument in favor of granting your request. As such, an opening brief should include an introduction, a summary of the procedural history of the case, and a legal argument in favor of your request for each of the mistakes you allege that the trial court made.

When your brief is complete, have your server mail it to the other parties and sign a [Proof of Service by Mail \(POS-030\)](https://www.courts.ca.gov/documents/pos030.pdf) (<https://www.courts.ca.gov/documents/pos030.pdf>). File the brief (original plus two copies) and POS-030 in court by the deadline.

3. Check Tentative Ruling and Request Appearance if Needed

Pursuant to Sacramento Superior Court Local Rule 1.06, the court will make a tentative ruling on the merits of your writ by 2:00 p.m. the court day before the hearing. You may read the tentative ruling online, or you may call the clerk for the department assigned to your writ to have them read it to you. For more information, see the Sacramento County Superior Court's website.

Review the tentative ruling very carefully. If you are not happy with the tentative ruling, and wish to present arguments in front of the judge, you must call all opposing counsel (or self-represented parties), as well as the clerk for the department assigned to your writ, no later than 4:00 p.m. the court day before your hearing and state that you are requesting oral argument.

If neither you nor the opposing counsel or self-represented party requests oral argument, the court will simply make the tentative ruling the order of the court, and no oral argument will be permitted.

4. Attend the Hearing

If you or the opposing counsel or self-represented party request oral argument, be sure to attend the hearing. The court will consider the merits of your request at the hearing.

The judge has a great deal of discretion as to how he or she wishes to conduct the hearing. The burden is on you, the petitioner, to convince the court to grant your petition, so typically the petitioner will be permitted to speak first.

Keep in mind that the judge has likely read the briefs of all parties, so it is important to listen carefully to any guidance the judge might provide as to whether he or she wants the entire matter argued, or only wishes oral argument on specific points.

5. Prepare Your Judgment and Writ

If you win your petition, you will be directed to create a formal judgment granting your writ, as well as the writ of mandate itself. The judgment should mirror the language that the court used in the minute order, while the writ should mirror the relevant language in the judgment. When creating signature lines, please note that the judgment is signed by the judge, while the writ is signed by a deputy clerk.

Samples of the format for each are available in *California Administrative Mandamus*, at sections 15.39 and 15.41, respectively.

For More Information

On the Web:

[Guide to the Procedures for Prosecuting Petitions for Prerogative Writs](https://www.saccourt.ca.gov/civil/docs/writ-procedural-guide.pdf) (<https://www.saccourt.ca.gov/civil/docs/writ-procedural-guide.pdf>)

(<https://www.saccourt.ca.gov/civil/docs/writ-procedural-guide.pdf>) A summary of the writ procedures used in the Sacramento County Superior Court created by the court.

In the Law Library:

California Administrative Mandamus KFC782 .C34

Electronic Access: On the Law Library's computers, using *OnLAW*.

California Forms of Pleading and Practice KFC1010 .A65 C3. Vol 41A.

Electronic Access: On the Law Library's computers, using *Lexis Advance*.

California Practice Guide. Administrative Law KFC780 .A975

Samples

Petition for Writ of Mandate

1	YOUR NAME STREET ADDRESS CITY, STATE, ZIP TELEPHONE NUMBER	
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4	YOUR NAME, IN PRO PER	
5		
6	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
7	FOR THE COUNTY OF SACRAMENTO	
8	YOUR NAME Petitioner,	Case No.
9	vs.	PETITION FOR WRIT OF ADMINISTRATIVE MANDATE (CCP § 1094.5)
10	Unemployment Uninsurance Appeals Board,	<div style="border: 2px solid red; padding: 5px; display: inline-block;"> The case number will be assigned when you file the petition in court. </div>
11	Respondent,	
12		
13	NAME OF EMPLOYER	
14	Real Party in Interest	
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16		
17		
18	Petitioner alleges:	
19	1. Respondent Unemployment Insurance Appeals Board (hereinafter, the APPEALS BOARD)	
20	and its employees constitute the Appeals Division of the Employment Development	
21	Department.	
22	2. Real Party in Interest (insert name of employer) (hereinafter EMPLOYER) is, and at all	
23	times herein mentioned was a (state capacity of business, i.e. corporation) organized and	
24	existing under the laws of California with its principal place of business in (insert county of	
25	employer) County, California.	
26	3. Petitioner was employed by EMPLOYER at (insert address of employment), California,	
27	and worked (insert full or part-time) as a (insert title of position) from (insert start date of	
28	employment) to (insert end date of employment) and was paid wages while so employed	
	1 PETITION FOR WRIT OF ADMINISTRATIVE MANDATE	

Petition for Writ of Administrative Mandate (page 1)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>sufficient to qualify for him/her for unemployment compensation benefits.</p> <p>4. On (insert end date of employment), petitioner's employment ended with EMPLOYER when (state how employment ended, i.e. employer terminated petitioner's employment).</p> <p>5. Thereafter, petitioner duly filed a claim for unemployment compensation benefits.</p> <p>6. The claim was (insert granted or denied) by an examiner of the California Employment Development Department on (insert date of either denial or grant). (If denied, state the reason given for denial). On (insert date of notice), petitioner received written notice of this determination. A copy of the determination is attached hereto as Exhibit A and made a part hereof.</p> <p>7. Pursuant to the provisions of Section 1328 of the Unemployment Insurance Code, (insert petitioner or employer) duly filed an appeal with an administrative law judge who, by written decision dated (insert date of decision), (insert affirmed or reversed) the examiner's determination. A copy of the decision is attached hereto as Exhibit B and made a part hereof.</p> <p>8. In (insert affirming or reversing) the examiner's decision, the administrative law judge abused his/her discretion by (specify the error of the judge, i.e. "concluding that petitioner was discharged for misconduct in connection with his/her work. The conclusion is contrary to the weight of the evidence in that the petitioner committed no misconduct in connection...")</p> <p>9. As authorized by Section 1336 of the Unemployment Insurance Code, (insert petitioner or employer) thereafter duly filed an appeal with the appeals board, which on (insert date of decision), (insert affirmed or reversed) the administrative law judge's decision and notified petitioner accordingly. A copy of the decision is attached hereto as Exhibit C and made a part hereof.</p> <p>10. In (insert affirming or reversing) the decision of the administrative law judge, the appeals board abused its discretion and acted in excess of its jurisdiction by (specify mistake).</p> <p>11. Petitioner has exhausted his/her administrative remedies in that under the provisions of Section 410 of the Unemployment Insurance Code, the decision of the appeals board is final</p>	2 PETITION FOR WRIT OF ADMINISTRATIVE MANDATE
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Petition for Writ of Administrative Mandate (page 2)

The explanation of errors is critical as the court can only consider the matters before it. Use multiple paragraphs if needed.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>except for such action as may be taken by a judicial tribunal as permitted or required by law.</p> <p>12. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law to compel the appeals board to reverse its decision and to grant petitioner's claim for unemployment compensation benefits, and no remedy at all unless this petition is granted.</p> <p>WHEREFORE, petitioner prays as follows:</p> <ol style="list-style-type: none">1. That this court issue an alternative writ of mandate ordering respondent Unemployment Insurance Appeals Board<ol style="list-style-type: none">a. To set aside its decision (specify, e.g. affirming the decision of the administrative law judge affirming the determination of the Director of Employment Development) that the claimant (specify specific finding, e.g. voluntarily left his/her work without good cause or was discharged for misconduct in connection with his/her work), and is ineligible for unemployment compensation benefits, and to grant such benefits, or;b. In the alternative, to show cause before this court at a time and place to be fixed by the court why it has not done so and directing it to file with this court the record of all proceedings in this matter before the respondent and the administrative law judge;2. That after hearing on the order to show cause, this court issue a peremptory writ of mandate to the same effect as the alternative writ except for the order to show cause;3. For the costs of suit herein incurred; and4. For such other and further relief as the court may deem proper. <p>Date: Sign and Date</p> <p style="text-align: center;">_____ Your signature YOUR NAME Petitioner, In Pro Per</p>	
3 PETITION FOR WRIT OF ADMINISTRATIVE MANDATE		
Petition for Writ of Administrative Mandate (page 3)		

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>VERIFICATION</p> <p>I, (insert your name), am the petitioner in the above-entitled proceeding. I have read the foregoing petition and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true.</p> <p>I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <p>Date: Sign and Date</p> <p style="text-align: right;">_____ YOUR NAME Petitioner, In Pro Per</p>	
<p>4 PETITION FOR WRIT OF ADMINISTRATIVE MANDATE</p>		
<p>Petition for Writ of Administrative Mandate (page 4)</p>		

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EDD OFFICE NAME
P.O. BOX
CITY CA ZIP CODE

EDD Employment
Development
Department
State of California

NOTICE OF DETERMINATION/RULING

Attach a copy of the Written Notice of Determination as Exhibit A.

CLAIMANT'S NAME
CLAIMANT'S ADDRESS
CITY CA ZIP CODE

SPANISH 1-800-326-9037
CANTONESE 1-800-947-3600
MANDARIN 1-888-303-0708
VIETNAMESE 1-800-947-2088
TTY 1-800-915-0987

SSA NUMBER 000.00.0000

YOU ARE NOT ELIGIBLE TO RECEIVE BENEFITS UNDER CALIFORNIA UNEMPLOYMENT INSURANCE CODE SECTION 1258 BEGINNING 00 / 00 / 00 AND CONTINUING UNTIL YOU RETURN TO WORK AFTER THE DISQUALIFYING ACT AND EARN \$0.00 OR MORE IN BONA FIDE EMPLOYMENT, AND YOU CONTACT THE ABOVE OFFICE TO REOPEN YOUR CLAIM.

YOU QUIT YOUR LAST JOB WITH (EMPLOYER NAME). YOU HAVE NOT SHOWN THAT THE QUIT WAS NECESSARY OR THAT YOU HAD EXPLORED ALL REASONABLE OPTIONS BEFORE QUITTING. AFTER CONSIDERING AVAILABLE INFORMATION, THE DEPARTMENT FINDS THAT YOU DO NOT MEET THE LEGAL REQUIREMENTS FOR PAYMENT OF BENEFITS. SECTION 1258 PROVIDES - AN INDIVIDUAL IS DISQUALIFIED IF THE DEPARTMENT FINDS HE VOLUNTARILY QUIT HIS MOST RECENT WORK WITHOUT GOOD CAUSE OR WAS DISCHARGED FOR MISCONDUCT FROM HIS MOST RECENT WORK. SECTION 1258A PROVIDES - AN INDIVIDUAL DISQUALIFIED UNDER SECTION 1258 IS DISQUALIFIED UNTIL HE/SHE, SUBSEQUENT TO THE DISQUALIFYING ACT, PERFORMS SERVICES IN BONA FIDE EMPLOYMENT FOR WHICH HE/SHE RECEIVES REMUNERATION EQUAL TO OR IN EXCESS OF FIVE TIMES HIS OR HER WEEKLY BENEFIT AMOUNT.

APPEAL:
YOU HAVE THE RIGHT TO FILE AN APPEAL IF YOU DO NOT AGREE WITH ALL OR PART OF THIS DECISION.

TO APPEAL, YOU MUST DO ALL OF THE

A. COMPLETE THE ENCLOSED APPEAL FORM AND STATE THE REASON WHY YOU DO NOT AGREE WITH THE SOCIAL SECURITY NUMBER ON THE FIRST PAGE OF THIS DECISION.

B. MAIL THE DE 1000M OR YOUR LETTER TO THE FIRST PAGE OF THIS DECISION.

C. FILE YOUR APPEAL WITHIN THIRTY DAYS AFTER THE DATE OF THIS DECISION.

THE HANDBOOK, "A GUIDE TO BENEFIT INFORMATION ABOUT APPEALS, IF YOU WANT MORE INFORMATION, IS LISTED ON THE FIRST PAGE OF THIS NOTICE.

DE1080GZ Rev. 2 (3-15) (INTERNET)

Important: Sacramento County Superior Court requires each of the Exhibits in one of your sets of copies be separated by a rigid sheet of card stock with a tab identifying the letter of the exhibit on the bottom. Exhibits for the original and other copies should be separated by a blank piece of pleading paper with their exhibit letter or number (for instance, "Exhibit A") typed or written on the bottom of the page.

Note: The Law Library sells card stock with tabs at the Circulation Desk.

EXHIBIT A


Petition for Writ of Administrative Mandate

Exhibit A

Petition for Writ of Administrative Mandate (Ex. A) (page 6)

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CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD

 SACRAMENTO OFFICE OF APPEALS (916) 263-6706
2400 Venture Oaks Way, Ste 100
SACRAMENTO CA 95833

Claimant/Appellant Case No.:
Issue(s): 1252/79

Attach a copy of the written decision by ALJ as Exhibit B.

EDD BYB

Date and Place of Hearing(s): Parties Appearing:
(1) Sacramento Claimant

SAMPLE

DECISION

The decision in the above-captioned case appears on the following page(s):

The decision is final unless appealed within 20 calendar days from the date of mailing shown below. See the attached "Notice to Parties" for further information on how to file an appeal. If you are entitled to benefits and have a question regarding the payment of benefits, call EDD at 1-800-300-5616.

Administrative Law Judge

Date Mailed:

Petition for Writ of Administrative Mandate **Exhibit B**

Petition for Writ of Administrative Mandate (Ex. B) (page 7)

 <p>CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD P O Box 944275 SACRAMENTO CA 94244-2750</p>	
Claimant-Appellant	Case No.: AO- [Redacted]
Employer	AO Decision No. [Redacted]
DECISION	
Attached is the Appeals Board decision in the above-captioned case issued by Board Panel members:	
<p>CINDY MONTANET JENNIFER BOWEN FRED AGUIAR, Dissenting</p>	
This is the final decision by the Appeals Board. The Appeals Board has no authority to reconsider this decision. If you disagree with the decision, please refer to the information attachment which outlines your rights.	
6 27 28	Petition for Writ of Administrative Mandate - 8 Exhibit C
Petition for Writ of Administrative Mandate (Ex. C) (page 8)	

Notice of Hearing

1	YOUR NAME	
2	STREET ADDRESS	
3	CITY, STATE, ZIP	
4	TELEPHONE NUMBER	
5	YOUR NAME, IN PRO PER	
6	SUPERIOR COURT OF THE STATE OF CALIFORNIA	
7	FOR THE COUNTY OF SACRAMENTO	
8	YOUR NAME	Case No.
9	Petitioner,	NOTICE OF HEARING FOR WRIT OF
10	vs.	MANDATE
11	Unemployment Uninsurance	(CCP § 1094.5)
12	Appeals Board,	Date: insert date of hearing
13	Respondent,	Time: insert time of hearing
14	NAME OF EMPLOYER	Department: insert department number
15	Real Party in Interest	
16	PLEASE TAKE NOTICE that on the above-captioned date, time, or as soon thereafter as the matter	
17	may be heard, in the above-captioned department of the above-named Court, located at 720 Ninth	
18	Street, Sacramento, California, your name will move the Court for a writ of mandate, under Code of	
19	Civil Procedure § 1094.5 commanding respondent the Unemployment Insurance Appeals Board to	
20	set aside its decision of insert date of decision of final appeal, in the administrative proceedings	
21	titled insert short title of case as it appeared on all appeals.	
22	This motion is made on the grounds that specify grounds listed in the petition.	
23	This motion is based on this notice, the verified petition, the administrative record previously lodged	
24	with this Court, the briefs filed with the court, the declarations, exhibits, and any and all other	
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28	1 NOTICE OF HEARING FOR WRIT OF MANDATE	

Notice of Hearing (page 1)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	<p>evidence that may be presented at the hearing on this motion.</p> <p>“Pursuant to Local Rule 1.06, the Court will make a tentative ruling on the merits of this matter by 2:00 p.m., the court day before the hearing. To receive the tentative ruling, you can access the Court’s website at www.saccourt.ca.gov or arrange to obtain the tentative ruling from the clerk of Department insert department number. If you do not call the Court and the opposing party by 4:00 p.m. the court day before the hearing, no hearing will be held.”</p> <p>Date: insert date and sign Sign and Date</p> <p>_____</p> <p>YOUR NAME Petitioner, In Pro Per</p>	
<p>2 NOTICE OF HEARING FOR WRIT OF MANDATE</p>		
<p>Notice of Hearing (page 2)</p>		

Date Created
03/30/2023