CHAPTER 2
WRIT PROCEDURES, POLICIES, AND PROTOCOL IN MISDEMEANOR, INFRACTION, OR LIMITED CIVIL CASES

Rule 7.2.1

Application of the California Rules of Court

For all petitions for extraordinary relief in limited civil, misdemeanor, and infraction cases which name San Diego Superior Court as respondent, wherever the San Diego Superior Court Rules do not provide specific guidance regarding the proper writ petition procedures, the provisions of the California Rules of Court, Title 8, Division 2, Chapter 6, Writ Proceedings, will apply.
(Adopted 1/1/2000; Renum. 7/1/2001; Renum. 1/1/2006; Rev. 1/1/2009)

Rule 7.2.2

Filing Requirements

A. All such petitions must be filed in the Central Division in Room 3005 on the third floor of the Courthouse at 220 West Broadway, San Diego, California. No such petitions will be accepted for filing anywhere else. Unless otherwise ordered, any subsequent pleadings and papers in the same matter must be filed in the same office.

B. All such petitions will be assigned civil case numbers.

C. No filing fee will be required when a petition arises from a criminal case.

D. The petitioner or counsel for the petitioner is required to submit one original and four copies of the petition. Each copy of the petition must include all supporting documents specified in California Rules of Court, rule 8.931(b). This court has not adopted a local rule permitting the use of electronic recordings of oral proceedings. Transcripts of such recordings are required if they are available.

E. A person who is not represented by an attorney should file the writ petition on Judicial Council form APP-151, Petition for Writ (Misdemeanor, Infraction or Limited Civil Case). (Cal. Rules of Court, rule 8.931(a); see also Judicial Council Form APP-150 INFO, Information on Writ Proceedings in Misdemeanor, Infraction and Limited Civil Cases available on the California Courts website at http;//www.courts.ca.gov.) (Adopted 1/1/2000; Rev. 1/1/2001; Renum. 7/1/2001; Renum. 1/1/2006; Rev. 1/1/2009; Rev. 1/1/2010; Rev. 1/1/2015)

Rule 7.2.3

Request for Stay

If a stay of the trial court proceeding is requested in the writ petition, the petition must so state prominently on the title page. The petition must set forth all time constraints which are relevant to the request for stay.
(Adopted 1/1/2000; Renum. 7/1/2001; Renum. 1/1/2006; Rev. 1/1/2009)

Rule 7.2.4

Unlawful Detainer Writ Relief

In addition to complying with all applicable California Rules of Court, statutes and case law, a petition for an extraordinary writ under California Code of Civil Procedure section 1176, subdivision (a) should indicate the date(s) the request(s) to stay the judgment pending the appeal was presented to the trial court and include a copy of the trial court's order or a record of the trial court's ruling.
(Adopted 1/1/2015)