

EMERGENCY SUBMISSION LETTER (PALMA + URGENCY FOCUSED)

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Clerk of the Court

Appeal of the State of California First Appellate District

Re: Superior Court of California, County of Alameda, Respondent; Ryan Richardson, in his individual capacity as Oakland City Attorney, City of Oakland as a municipal corporation and does 1-20 Real Parties in Interest.

Emergency Petition for Writ of Mandate / Prohibition Palma Notice – Request for Immediate Consideration

Dear Clerk:

Petitioner Gene Hazzard, appearing in pro per, respectfully submits the accompanying **Emergency Petition for Writ of Mandate, Prohibition, or Other Appropriate Relief**, and requests that it be filed and brought to the Court's attention for immediate consideration.

This matter presents purely legal and facial constitutional issues arising from a municipal ballot measure and its implementation. The Petition challenges: (1) a provision stating in the ballot measure 4.26.130 "ENJOINING COLLECTION FORBIDDEN," which **purports to restrict access to judicial review**; and (2) the City's ongoing characterization of a voter-enacted transaction and use tax as a "sales tax," notwithstanding the absence of such language in AB 155 enacted measure of the California State Legislature in 2011/2012. or its official certification.

The issues presented are undisputed, grounded in official public records, and require no factual development, making them appropriate for prompt resolution at the writ stage.

The challenged conduct is ongoing, and absent intervention, continues to affect the administration and public understanding of voter-enacted law.

Petitioner hereby provides notice, consistent with **Palma v. U.S. Industrial Fasteners, Inc.** (1984) 36 Cal.3d 171, that a peremptory writ in the first instance is being sought.

The Petition demonstrates that **entitlement to relief is clear as a matter of law** and that no adequate remedy exists in the ordinary course.

Given the constitutional dimension of the issues, the continuing nature of the challenged conduct, and the absence of factual dispute, Petitioner respectfully requests that the Court consider expedited review and appropriate relief. A [Proposed] Order is included for the Court's convenience.

Petitioner appreciates the Court's consideration of this matter.

Respectfully submitted,

Gene Hazzard