

IN THE
COURT OF APPEAL OF THE STATE OF CALIFORNIA
IN AND FOR THE
FIFTH APPELLATE DISTRICT

CITY OF FRESNO,

Petitioner,

v.

THE SUPERIOR COURT OF FRESNO
COUNTY,

Respondent;

AMERICAN CIVIL LIBERTIES UNION,

Real Party in Interest.

F089987

(Fresno Super. Ct. No. 24CECG01635)

ORDER

This court is in receipt of a “PETITION FOR WRIT OF MANDATE ...,” filed by petitioner on June 16, 2025. Real party in interest is directed to file an informal response to the petition on or before 14 days from the date of this order. Additionally, Government Code section 68081 provides for supplemental briefing of issues not proposed or briefed by any party to the proceeding. Accordingly, the parties are directed to address the following issue in their informal briefs, in addition to any other issues the parties desire to raise. Did the trial court abuse its discretion in denying real party in interest’s request for attorney fees under Government Code section 7923.115, subdivision (a)? “ ‘An award of costs and attorney fees pursuant to this provision is mandatory if the plaintiff prevails.’ ” (*Di Lauro v. City of Burbank* (2025) 110 Cal.App.5th 969, 981, citing *Filarsky v. Superior Court* (2002) 28 Cal.4th 419, 427.)

Petitioner is granted 14 days from the date of the filing of the informal response to submit an informal reply.


Hill, P. J.