

This docket is current through 02/07/2023

Today's Date: 2/19/2023

Source: SUPREME COURT, CALIFORNIA

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CASE INFORMATION

Case Title:	ARIAS v. S.C. (ANGELO DAIRY)
Court:	SUPREME COURT
Case Number:	S155965
Case Type:	APPEALS
Case Subtype:	REVIEW - CIVIL ORIGINAL PROCEEDING
Key Nature of Suit:	APPEALS (030)
Date Filed:	09/04/2007
Case Status:	CLOSED; REMITTITUR ISSUED
Disposition Date:	06/29/2009
Disposed/Disposition:	OPINION: AFFIRMED; CASE CITATION: </DIV><DIV CLASS="COL-SM-9 BOLD">46 CAL.4TH 969
Related/Companion Cases:	COURT OF APPEAL CASE: C054185 ; TRIAL COURT CASE: SAN JOAQUIN COUNTY SUPERIOR COURT CV028612

LOWER COURT INFORMATION

Court of Appeal District/Division:	THIRD APPELLATE DISTRICT
Court of Appeals Docket Number:	C054185
Court of Appeals Disposition Information:	PETITION GRANTED AFTER ALTERNATIVE WRIT ISSUED ; 07/24/2007
Miscellaneous Information:	TRIAL COURT: SAN JOAQUIN COUNTY SUPERIOR COURT; TRIAL COURT CASE NUMBER: CV028612

PARTICIPANT INFORMATION

JOSE A. ARIAS

Type: PETITIONER

Attorney: BLANCA A. BANUELOS

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STOCKTON, CA 95202

Firm Name: CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

Attorney: MICHAEL L. MEUTER

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Firm Name: CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

SUPERIOR COURT OF SAN JOAQUIN COUNTY

Type: RESPONDENT

Address: STOCKTON, CA 95202

ANGELO DAIRY

Type: REAL PARTY IN INTEREST

Attorney: ANTHONY PETER RAIMONDO

Attorney Address: 5 RIVER PARK PLACE, EAST
FRESNO, CA 93720

Firm Name: MCCORMICK, BARSTOW, LLP

LUIS ANGELO

Type: REAL PARTY IN INTEREST

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Attorney Address: 5 RIVER PARK PLACE, EAST
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Firm Name: MCCORMICK, BARSTOW, LLP

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Type: AMICUS CURIAE

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Type: AMICUS CURIAE

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Attorney Address: 11377 W. OLYMPIC BOULEVARD, SUITE 900
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Type: AMICUS CURIAE

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Attorney: ROBIN S. CONRAD

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EMPLOYERS GROUP

Type: AMICUS CURIAE

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GARMENT WORKER CENTER

Type:	AMICUS CURIAE
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INQUILINOS UNIDOS

Type: AMICUS CURIAE
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MAINTENANCE COOPERATION TRUST FUND

Type: AMICUS CURIAE
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Attorney Address: 171 TWELFTH STREET, 3RD FLOOR
OAKLAND, CA 94607
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DOCKET PROCEEDINGS (64)

Date:	Entry #:	Description:	Date Docketed:	Party:
07/31/2009		Docket Entry: REMITTITUR ISSUED		
06/29/2009		Document Description: THE JUDGMENT OF THE COURT OF APPEAL IS AFFIRMED.MAJORITY OPINION BY KENNARD, J.-----JOINED BY GEORGE, C.J., BAXTER, CHIN, MORENO AND CORRIGAN, JJ.CONCURRING OPINION BY WERDEGAR, J. Docket Entry: OPINION FILED: JUDGMENT AFFIRMED IN FULL		
06/26/2009		Docket Entry: NOTICE OF FORTHCOMING OPINION POSTED		
04/08/2009		Docket Entry: CAUSE ARGUED AND SUBMITTED		
04/06/2009		Document Description: NOTICE FROM RPIS THAT ATTORNEY MICHAEL SAQUI IS NOT INVOLVED IN THIS CASE. Docket Entry: RECEIVED:		
03/27/2009		Document Description: ADDITIONAL		

AUTHORITIES W/LETTER ATTACHED **Docket Entry:** FILED:

03/25/2009

Document Description: THE REQUEST OF COUNSEL FOR REAL PARTIES IN INTEREST IN THE ABOVE-REFERENCED CAUSE TO ALLOW TWO COUNSEL TO ARGUE ON BEHALF OF REAL PARTIES AT ORAL ARGUMENT IS HEREBY GRANTED.THE REQUEST OF REAL PARTIES IN INTEREST TO ALLOCATE TO AMICUS CURIAE THE EMPLOYERS GROUP ET AL. 10 MINUTES OF REAL PARTIES' 30-MINUTE ALLOTTED TIME FOR ORAL ARGUMENT IS GRANTED. **Docket Entry:** ORDER FILED

03/23/2009

Document Description: LETTER FROM ANTHONY RAIMONDO, COUNSEL FOR REAL PARTIES IN INTEREST ANGELO DAIRY ET AL., REQUESTING TO SHARE 10 MINUTES OF ARGUMENT TIME WITH AMICI CURIAE EMPLOYERS GROUP ET AL. **Docket Entry:** FILED:

03/20/2009

Document Description: REAL PARTIES IN INTEREST ANGELO DAIRY, LUIS M. ANGELO, MARIA D. ANGELO, AND JOE ANGELO'S REQUEST FOR JUDICIAL NOTICE FILED IN THIS COURT ON MARCH 11, 2008, IS GRANTED.THE REQUEST FOR JUDICIAL NOTICE OF AMICI CURIAE EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATE OF AMERICA, AND CALIFORNIA RESTAURANT ASSOCIATION FILED IN THIS COURT ON MAY 14, 2008, IS GRANTED. **Docket Entry:** REQUEST FOR JUDICIAL NOTICE GRANTED

03/18/2009

Document Description: RETURNED FROM:ANEL MALISSA FLORES, LEGAL AID FOUNDATION OF LOS ANGELES8601 BROADWAY, LOS ANGELES, CA 90003-3319RESENT TO ADDRESS FROM STATE BAR WEBSITE, NOW NOTED IN CASE:1102 CRENSHAW BOULEVARD, LOS ANGELES, CA 90019 **Docket Entry:** NOTE: MAIL RETURNED AND RE-SENT

03/17/2009

Document Description: RPIS' SUPPLEMENTAL AUTHORITIES FOR ORAL ARGUMENT **Docket Entry:** RECEIVED:

03/11/2009

Document Description: TO BE ARGUED ON WEDNESDAY, APRIL 8, 2009, AT 9:00 A.M., IN LOS ANGELES **Docket Entry:** CASE ORDERED ON CALENDAR

03/11/2009	<p>Document Description: THE MOTION OF REAL PARTIES IN INTEREST ANGELO DAIRY, LUIS M. ANGELO, MARIA D. ANGELO, AND JOE ANGELO TO MAKE THIS CASE A COMPANION TO AMALGAMATED TRANSIT UNION, LOCAL 1756, AFL-CIO ET AL. V. SUPERIOR COURT (S151615) IS GRANTED.</p> <p>Docket Entry: ORDER FILED</p>
01/21/2009	<p>Document Description: FOR RPI'S : ANTHONY P. RAIMONDO OF MCCORMICK BARSTOW ET AL. IN PLACE OF ANTHONY P. RAIMONDO AND MICHAEL SAQUI OF SAQUI & RAIMONDO</p> <p>Docket Entry: NOTICE OF SUBSTITUTION OF COUNSEL</p>
09/10/2008	<p>Document Description: THE APPLICATION OF SOUTHWEST EYECARE, INC. FOR PERMISSION TO FILE AN UNTIMELY AMICUS CURIAE BRIEF IN SUPPORT OF REAL PARTIES IN INTEREST IS HEREBY DENIED.</p> <p>Docket Entry: APPLICATION TO FILE AMICUS CURIAE BRIEF DENIED</p>
08/25/2008	<p>Document Description: SOUTHWEST EYECARE, INC. BY COUNSEL KENNETH R. PEDROZA AND DANIEL S. BELSKY[LATE]</p> <p>Docket Entry: RECEIVED APPLICATION TO FILE AMICUS CURIAE BRIEF</p>
06/11/2008	<p>Document Description: JOSE ARIAS, PETITIONER BLANCA BANUELOS, MICHAEL MEUTER, COUNSEL RESPONSE TO AMICUS BRIEF OF EMPLOYERS GROUP</p> <p>Docket Entry: RESPONSE TO AMICUS CURIAE BRIEF FILED</p>
06/11/2008	<p>Document Description: JOSE ARIAS, PETITIONER BLANCA BANUELOS, MICHAEL MEUTER, COUNSEL RESPONSE TO AMICUS BRIEF OF EMPLOYERS GROUP</p> <p>Docket Entry: RESPONSE TO AMICUS CURIAE BRIEF FILED</p>
06/02/2008	<p>Document Description: ON APPLICATION OF PETITIONER AND GOOD CAUSE APPEARING, IT IS ORDERED THAT THE TIME TO SERVE AND FILE THE RESPONSE TO THE AMICUS CURIAE BRIEF OF EMPLOYERS GROUP, ET AL., IS EXTENDED TO AND INCLUDING JUNE 11, 2008.</p> <p>Docket Entry: EXTENSION OF TIME GRANTED</p>
05/27/2008	<p>Document Description: FOR PETITIONER TO FILE RESPONSE TO AMICUS BRIEF OF EMPLOYERS GROUP, ET AL. EXTENSION REQUESTED TO JUNE 11.</p> <p>Docket Entry: REQUEST FOR EXTENSION OF TIME FILED</p>

05/21/2008	<p>Document Description: LUIS ANGELO, ET AL., REAL PARTIES IN INTEREST ANTHONY RAIMONDO, COUNSEL RESPONSE TO AMICUS CURIAE BRIEF OF GARMENT WORKER CENTER, ET AL. Docket Entry: RESPONSE TO AMICUS CURIAE BRIEF FILED</p>
05/21/2008	<p>Document Description: LUIS ANGELO, ET AL., REAL PARTIES IN INTEREST ANTHONY RAIMONDO, COUNSEL RESPONSE TO AMICUS CURIAE BRIEF OF GARMENT WORKER CENTER, ET AL. Docket Entry: RESPONSE TO AMICUS CURIAE BRIEF FILED</p>
05/14/2008	<p>Document Description: EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, AND CALIFORNIA RESTAURANT ASSOCIATION, NON-PARTIES. FILED BY BY STEVEN DRAPKIN AND ROBIN S. CONRAD, COUNSEL Docket Entry: REQUEST FOR JUDICIAL NOTICE FILED (GRANTED CASE)</p>
05/14/2008	<p>Document Description: THE APPLICATION OF ROBIN S. CONRAD OF THE DISTRICT OF COLUMBIA FOR ADMISSION PRO HAC VICE TO APPEAR ON BEHALF OF AMICUS CURIAE CHAMBER OF THE UNITED STATES OF AMERICA IS HEREBY GRANTED. (SEE CAL. RULES OF COURT, RULE 9.40) Docket Entry: APPLICATION TO APPEAR AS COUNSEL PRO HAC VICE GRANTED</p>
05/12/2008	<p>Document Description: GARMENT WORKER CENTER, INQUILINOS UNIDOS, AND MAINTENANCE COOPERATION TRUST FUND, BY M. SUZANNE MURPHY, COUNSEL Docket Entry: AMICUS CURIAE BRIEF FILED</p>
05/12/2008	<p>Document Description: EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, AND CALIFORNIA RESTAURANT ASSOCIATION, BY STEVEN DRAPKIN, COUNSEL Docket Entry: AMICUS CURIAE BRIEF FILED</p>
05/12/2008	<p>Document Description: GARMENT WORKER CENTER, INQUILINOS UNIDOS, AND MAINTENANCE COOPERATION TRUST FUND, BY M. SUZANNE MURPHY, COUNSEL Docket Entry: AMICUS CURIAE BRIEF FILED</p>
05/12/2008	<p>Document Description: THE APPLICATION OF GARMENT WORKER CENTER, INQUILINOS UNIDOS, AND MAINTENANCE COOPERATION</p>

TRUST FUND FOR PERMISSION TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF PETITIONER IS HEREBY GRANTED. AN ANSWER THERETO MAY BE SERVED AND FILED BY ANY PARTY WITHIN TWENTY DAYS OF THE FILING OF THE BRIEF. **Docket Entry:** PERMISSION TO FILE AMICUS CURIAE BRIEF GRANTED

05/12/2008

Document Description: EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, AND CALIFORNIA RESTAURANT ASSOCIATION, BY STEVEN DRAPKIN, COUNSEL **Docket Entry:** AMICUS CURIAE BRIEF FILED

05/12/2008

Document Description: THE APPLICATION OF EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA, AND CALIFORNIA RESTAURANT ASSOCIATION FOR PERMISSION TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF REAL PARTIES IN INTEREST IS HEREBY GRANTED. AN ANSWER THERETO MAY BE SERVED AND FILED BY ANY PARTY WITHIN TWENTY DAYS OF THE FILING OF THE BRIEF. **Docket Entry:** PERMISSION TO FILE AMICUS CURIAE BRIEF GRANTED

05/09/2008

Document Description: MOTION/APPLICATION BY REAL PARTIES IN INTEREST, TO TREAT THIS AND ANOTHER PENDING CASE, S151615, AS COMPANION CASES FOR ARGUMENT AND DECISION FILED BY ANTHONY P. RAIMONDO, COUNSEL **Docket Entry:** MOTION FILED (NON-AA)

05/02/2008

Document Description: BY GARMENT WORKER CENTER, INQUILINOS UNIDOS AND MAINTENANCE COOPERATION TRUST FUND, IN SUPPORT OF PLAINTIFF AND PETITIONER, JOSE A. ARIAS BY M. SUZANNE MURPHY, COUNSEL **Docket Entry:** RECEIVED APPLICATION TO FILE AMICUS CURIAE BRIEF

05/02/2008

Document Description: FOR ROBIN S. CONRAD, COUNSEL FOR EMPLOYERS GROUP, CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATE OF AMERICA, & CALIFORNIA RESTAURANT ASSOCIATION, IN SUPPORT OF REAL PARTIES IN INTEREST **Docket Entry:** APPLICATION TO APPEAR AS COUNSEL PRO HAC VICE (GRANTED CASE)

05/02/2008	<p>Document Description: RECEIVED EMPLOYERS GROUP, INC., CALIFORNIA EMPLOYMENT LAW COUNCIL, CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA AND CALIFORNIA RESTAURANT ASSOCIATION, IN SUPPORT OF REAL PARTIES IN INTEREST, BY STEVEN DRAPKIN AND ROBIN S. CONRAD, COUNSEL *** CRC 8.25(B)</p> <p>Docket Entry: RECEIVED APPLICATION TO FILE AMICUS CURIAE BRIEF</p>
04/25/2008	<p>Document Description: THE APPLICATION OF REAL PARTIES IN INTEREST FOR PERMISSION TO FILE AN ADDITIONAL REPLY BRIEF IS HEREBY ORDERED WITHDRAWN PURSUANT TO WRITTEN REQUEST. Docket Entry: ORDER FILED</p>
04/22/2008	<p>Document Description: WITHDRAWAL OF APPLICATION TO FILE REPLY BRIEF. ANGELO DAIRY, ET AL., REAL PARTIES IN INTEREST</p> <p>Docket Entry: FILED:</p>
04/18/2008	<p>Document Description: TO APPLICATION TO FILE REPLY BRIEF. JOSE ARIAS, PETITIONER</p> <p>Docket Entry: OPPOSITION FILED</p>
04/16/2008	<p>Document Description: BY RPIS FOR PERMISSION TO FILE A "REPLY BRIEF" Docket Entry: APPLICATION FILED</p>
04/01/2008	<p>Document Description: JOSE ARIAS, PETITIONER BLANCA BANUELOS, MICHAEL MEUTER, COUNSEL Docket Entry: REPLY BRIEF FILED (CASE FULLY BRIEFED)</p>
04/01/2008	<p>Document Description: JOSE ARIAS, PETITIONER BLANCA BANUELOS, MICHAEL MEUTER, COUNSEL Docket Entry: REPLY BRIEF FILED (CASE FULLY BRIEFED)</p>
03/11/2008	<p>Document Description: ANGELO DAIRY, ET AL., RPIS ANTHONY RAIMONDO, COUNSEL TIMELY PER CRC 8.25B Docket Entry: ANSWER BRIEF ON THE MERITS FILED</p>
03/11/2008	<p>Document Description: ANGELO DAIRY, ET AL., RPIS ANTHONY RAIMONDO, COUNSEL Docket Entry: REQUEST FOR JUDICIAL NOTICE FILED (GRANTED CASE)</p>
03/11/2008	<p>Document Description: ANGELO DAIRY, ET AL., RPIS ANTHONY RAIMONDO, COUNSEL TIMELY PER CRC 8.25B Docket Entry: ANSWER BRIEF ON THE MERITS FILED</p>
02/04/2008	<p>Document Description: ON APPLICATION OF</p>

	REAL PARTIES IN INTEREST AND GOOD CAUSE APPEARING, IT IS ORDERED THAT THE TIME TO SERVE AND FILE THE OPENING BRIEF ON THE MERITS IS EXTENDED TO AND INCLUDING MARCH 10, 2008. Docket Entry: EXTENSION OF TIME GRANTED
02/01/2008	Document Description: FOR REAL PARTIES IN INTEREST TO FILE THE OPENING BRIEF ON THE MERITS, TO 3-10-08 Docket Entry: REQUEST FOR EXTENSION OF TIME FILED
01/30/2008	Document Description: MR. ANTHONY P. RAIMONDO, COUNSEL FOR REAL PARTY IN INTEREST ANGELO DAIRY, AND MR. SCOTT H. DUNHAM, COUNSEL FOR AMICUS CURIAE EMPLOYERS GROUP, IN RESPONSE TO THEIR LETTERS OF JANUARY 8, 2008, REQUESTING CLARIFICATION OF THE ISSUES BEFORE THE COURT. Docket Entry: LETTER SENT TO:
01/10/2008	Document Description: LETTER RE CLARIFICATION OF ISSUESEMPLOYERS GROUP, CALIF. EMPLOYMENT LAW COUNCIL, AMICUS CURIAE APPLICANTSSCOTT DUNHAM, COUNSEL Docket Entry: RECEIVED:
01/09/2008	Document Description: LETTER RE CLARIFICATION OF ISSUES.ANGELO DAIRY, RPIANTHONY RAIMONDO, COUNSEL Docket Entry: RECEIVED:
12/31/2007	Document Description: LETTER REQUESTING CLARIFICATION OF THE ISSUES IT MUST ADDRESS IN ITS BRIEF. ANGELO DAIRY, REAL PARTY IN INTERESTANTHONY P. RAIMONDO, COUNSEL Docket Entry: RECEIVED:
12/24/2007	Document Description: LETTER FROM O'MELVENY & MYERS LLP, DATED DECEMBER 21, 2007, ON BEHALF OF THE EMPLOYERS GROUP AND THE CALIFORNIA EMPLOYMENT LAW COUNCIL REQUESTING CLARIFICATION OF THE SCOPE OF ISSUES PRESENTED FOR REVIEW. Docket Entry: RECEIVED:
12/24/2007	Document Description: ON APPLICATION OF REAL PARTIES IN INTEREST AND GOOD CAUSE APPEARING, IT IS ORDERED THAT THE TIME TO SERVE AND FILE THE ANSWER BRIEF IS EXTENDED TO AND INCLUDING FEBRUARY 8, 2008. Docket Entry: EXTENSION OF TIME GRANTED
12/18/2007	Document Description: COUNSEL FOR RPI

	REQUESTS EXTENTION OF TIME TO 2-8-08, TO FILE THE ANSWER BRIEF ON THE MERITS. Docket Entry: REQUEST FOR EXTENSION OF TIME FILED
12/10/2007	Document Description: JOSE A. ARIAS, PETITIONERBLANCA A. BANUELOS, ATTORNEY Docket Entry: OPENING BRIEF ON THE MERITS FILED
12/10/2007	Document Description: JOSE A. ARIAS, PETITIONER BLANCA A. BANUELOS, ATTORNEY Docket Entry: OPENING BRIEF ON THE MERITS FILED
11/05/2007	Document Description: ON APPLICATION OF PETITIONER AND GOOD CAUSE APPEARING, IT IS ORDERED THAT THE TIME TO SERVE AND FILE THE OPENING BRIEF ON THE MERITS IS EXTENDED TO AND INCLUDING DECEMBER 10, 2007. Docket Entry: EXTENSION OF TIME GRANTED
11/01/2007	Document Description: FOR PETITIONER TO FILE THE OPENING BRIEF ON THE MERITS, TO 12/10/07. Docket Entry: REQUEST FOR EXTENSION OF TIME FILED
10/18/2007	Document Description: JOSE ARIAS, PETITIONERBLANCA BANUELOS, COUNSEL Docket Entry: CERTIFICATION OF INTERESTED ENTITIES OR PERSONS FILED
10/17/2007	Document Description: ANGELO DAIRY ET AL., RPISANTHONY RAIMONDO, COUNSEL Docket Entry: CERTIFICATION OF INTERESTED ENTITIES OR PERSONS FILED
10/10/2007	Document Description: VOTES: GEORGE, C.J., KENNARD, BAXTER, WERDEGAR, CHIN, MORENO AND CORRIGAN, JJ. Docket Entry: PETITION FOR REVIEW GRANTED (CIVIL CASE)
10/05/2007	Document Description: JOSE ARIAS, PETITIONERBLANCA BANUELOS, MICHAEL MEUTER, COUNSEL(LATE FILING PERMITTED) Docket Entry: REPLY TO ANSWER TO PETITION FILED
09/21/2007	Document Description: ANGELO DAIRY, ET AL, RPISANTHONY RAIMONDO, COUNSEL Docket Entry: ANSWER TO PETITION FOR REVIEW FILED
09/13/2007	Document Description: ONE FILE JACKET Docket Entry: RECEIVED COURT OF APPEAL

RECORD

09/04/2007

Docket Entry: FORMA PAUPERIS
APPLICATION FILED

09/04/2007

Document Description: JOSE ARIAS,
PETITIONERBLANCA BANUELOS, MICHAEL
MEUTER, COUNSEL/A REC REQ **Docket**
Entry: PETITION FOR REVIEW FILED