

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

Central Justice Center
700 W. Civic Center Drive
Santa Ana, CA 92702

SHORT TITLE: The People of the State of California vs. City of Huntington Beach

CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

CASE NUMBER:
30-2024-01393606-CU-WM-CJC

I certify that I am not a party to this cause. I certify that a true copy of the above Minute Order dated 02/27/25 has been placed for collection and mailing so as to cause it to be mailed in a sealed envelope with postage fully prepaid pursuant to standard court practice and addressed as indicated below. This certification occurred at Santa Ana, California on 2/27/25. Following standard court practice the mailing will occur at Sacramento, California on 2/28/25.

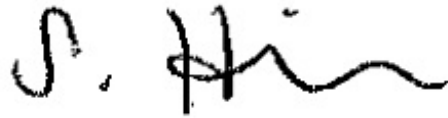
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Clerk of the Court, by:



, Deputy

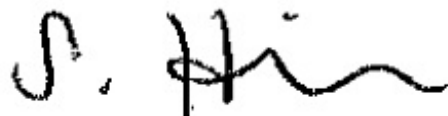
I certify that I am not a party to this cause. I certify that that the following document(s), Minute Order dated 02/27/25, was transmitted electronically by an Orange County Superior Court email server on February 27, 2025, at 11:15:43 AM PST. The business mailing address is Orange County Superior Court, 700 Civic Center Dr. W, Santa Ana, California 92701. Pursuant to Code of Civil Procedure section 1013b, I electronically served the document(s) on the persons identified at the email addresses listed below:

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CLERK'S CERTIFICATE OF MAILING/ELECTRONIC SERVICE

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE**

MINUTE ORDER

DATE: 02/27/2025

TIME: 10:43:00 AM

DEPT:

JUDICIAL OFFICER PRESIDING: Nico Dourbetas

CLERK: S. Hill

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT: F. Camandang

CASE NO: **30-2024-01393606-CU-WM-CJC** CASE INIT.DATE: 04/15/2024

CASE TITLE: **The People of the State of California vs. City of Huntington Beach**

CASE CATEGORY: Civil - Unlimited CASE TYPE: Writ of Mandate

EVENT ID/DOCUMENT ID: 74499219

EVENT TYPE: Under Submission Ruling

APPEARANCES

There are no appearances by any party.

The Court, having taken the above-entitled matter under submission on 02/25/2025 and having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The Court VACATES the 12/16/24 dismissal of the Petition.

The Court VACATES the 11/15/24 Order sustaining the demurrer with leave to amend.

The Court issues the following ruling on Respondent's demurrer to the Petition:

Demurrer

Respondent City of Huntington Beach's demurrer to the People of the State of California's Petition for Writ of Mandate is OVERRULED. Respondents shall file their Verified Answer to the Petition by March 14, 2025. Petitioner may file a Reply by March 24, 2025.

In light of the passage of Elections Code §10005, there is a ripe justiciable controversy with respect to the voter identification charter provision. While the particular details of how voter identification will be implemented in municipal elections in Huntington Beach do not appear to be determined as of yet, the charter provision has been amended to permit imposition of voter identification requirements. If the City contends that it could implement a voter identification requirement that does not run afoul of the Elections Code or that the voter identification provision is a municipal matter reserved to charter cities under California Constitution Article XI, Section 5, Subdivision (b)(3), then it can further elucidate on those positions at the hearing on the petition.

Motion to Strike

Respondent's Motion to Strike is DENIED. (Code Civ. Proc. §436.) Respondent has not established that

DATE: 02/27/2025

MINUTE ORDER

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any of Exhibits A-S or ¶¶ 8-12; 14-15; 23-24 or footnotes 2-3 of the Petition are “irrelevant, false, or improper” matters inserted into the Petition. Respondent can offer its objections to the admissibility of Petitioner’s evidence at the hearing on the Petition.

Respondent’s motion is essentially an improper attempt to use Code Civ. Proc. §436 as a “line item veto”. (See PH II, Inc. v. Superior Court (1995) 33 Cal.App.4th 1680, 1683.)

The hearing on the Petition for Writ of Mandate is specially set for April 3, 2025 at 9:30 AM in this department.

The clerk is ordered to give notice.