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21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

22 **FOR THE COUNTY OF SAN JOAQUIN**

23 INVESTIGATIVE REPORTING  
24 PROGRAM,

Petitioner

v.

COUNTY OF SAN JOAQUIN,

Respondent

Case No.: STK-CV-UWM-2025-0009718

**PETITIONER'S AMENDED NOTICE OF  
MOTION AND MOTION FOR JUDGMENT  
ON PETITION FOR WRIT OF MANDATE**

Dept.: 11B  
Date: April 16, 2026  
Time: 9:00 a.m.  
Judge: Hon. Robert T. Waters

Petition Filed: July 17, 2025

1 TO: THE HONORABLE COURT AND RESPONDENT COUNTY OF SAN  
2 JOAQUIN AND ITS COUNSEL OF RECORD

3 PLEASE TAKE NOTICE that at 9:00 a.m., on **April 16, 2026**, or as soon thereafter as  
4 the matter can be heard, in Department 11B of the above-captioned court, located at 180 E.  
5 Weber Avenue, Stockton, California, 95202, before the Honorable Robert T. Waters, Petitioner  
6 Investigative Reporting Program will move and hereby does move for an order and judgment  
7 granting its Petition for Writ of Mandate under the California Public Records Act and the  
8 California Constitution.

9 This motion seeks a judgment finding that respondent County of San Joaquin (the  
10 “County”) has not complied with the California Public Records Act, Government Code §§  
11 7920.000 et seq. (including Government Code §§ 7922.530(a) and 7922.575(a)), Penal Code §  
12 832.7(b)(10), and Article I, § 3(b) of the California Constitution and a writ of mandate, order,  
13 and judgment directing the County to disclose all autopsy reports called for by Petitioner  
14 Investigative Reporting Program’s March 3, 2025 request, attached as Exhibit F to Petitioner  
15 Investigative Reporting Program’s (“Petitioner”) Petition for Writ of Mandate charging only the  
16 direct cost of duplication and without imposing an unlawful flat fee of \$25 per autopsy report.

17 This motion is made on the grounds that the County agrees that requested records are  
18 subject to disclosure under the California Public Records Act, Gov’t Code §§ 7920.000 et seq.,  
19 Penal Code § 832.7(b), and Article I, section 3(b) of the California Constitution, but the County  
20 has not justified, and cannot justify, its withholding of the requested records here unless  
21 Petitioner pays on the County’s unlawful \$25 fee for each autopsy report. Government Code §§  
22 7922.530(a) and 7922.575(a) and Penal Code § 832.7(b)(10) bar the County from charging more  
23 than the direct cost of duplicating the requested records. But the County’s \$25-per-report fee is  
24 not based on the direct cost of duplication and is based on ancillary staff tasks, which is not  
permitted by Government Code §§ 7922.530(a) and 7922.575(a) or Penal Code § 832.7(b)(10).  
The County’s contention that the \$25-per-report fee is permitted pursuant to Government Code §

1 7922.530(a) because it constitutes a “statutory fee” is incorrect because the fee was not enacted  
2 by the Legislature in a state statute, but merely adopted by the County Board of Supervisors as a  
3 “resolution.”

4 This Motion is based on this Notice and the Petition, the supporting Memorandum of  
5 Points and Authorities and Declaration of Susan E. Seager with Exhibits 1 and 2 filed herewith,  
6 the anticipated Reply in support, all other pleadings and papers on file in this action, and such  
7 other authority, argument, and evidence as may be presented to the Court at the hearing on or in  
8 connection with this motion.

9 DATED: February 25, 2026

UNIVERSITY OF CALIFORNIA, IRVINE  
SCHOOL OF LAW  
PRESS FREEDOM PROJECT  
INTELLECTUAL, ARTS, AND TECH CLINIC

11 By: /s/ Susan E. Seager  
12 Susan E. Seager  
13 Attorney for Petitioner  
INVESTIGATIVE REPORTING  
PROGRAM



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**SERVICE LIST**  
**Investigative Reporting Program v. County of San Joaquin**  
**San Joaquin County Case No. STK-CV-UWM-2025-0009718**

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