

No.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT, DIVISION TWO

ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, ROB
BONTA,

Petitioner,

v.

CHAD BIANCO, RIVERSIDE COUNTY SHERIFF, THE
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT, AND
SUPERIOR COURT OF CALIFORNIA, COUNTY OF
RIVERSIDE

Respondents.

**PETITION FOR WRIT OF MANDATE AND/OR OTHER
EXTRAORDINARY RELIEF AND REQUEST FOR
EXPEDITED REVIEW; MEMORANDUM OF POINTS AND
AUTHORITIES**

**IMMEDIATE RELIEF REQUESTED – STAY OF
INVESTIGATION INTO NOVEMBER 2025 SPECIAL
ELECTION RESULTS IN RIVERSIDE COUNTY; STAY OF
EXECUTION OF WARRANT SIGNED MARCH 19, 2026**

Superior Court of California, County of Riverside
Search Warrant No. RI031920261
Jay Kiel, Judge, Dept. 32, (951)777-3147
Warrant Issued on March 19, 2026

PUBLIC—REDACTS MATERIAL FROM SEALED RECORD

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March 23, 2026

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CERTIFICATE OF INTERESTED ENTITIES

Pursuant to California Rule of Court 8.208, the Attorney General of the State of California certifies that he knows of no entity or person, other than the parties themselves, that has a financial or other interest in the outcome of the proceeding that he reasonably believes the justices should consider in determining whether to disqualify themselves under canon 3E of the Code of Judicial Ethics.

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INTRODUCTION AND SUMMARY OF ARGUMENT

Last month, Riverside County Sheriff Chad Bianco and the Riverside County Sheriff's Department ("Sheriff Respondents") initiated a sweeping and unprecedented criminal investigation into claimed discrepancies between the number of votes that were cast and the number of votes that were counted in the November 2025 Special Election in Riverside County. Acting on reports by a local group whose claims were publicly debunked by the Riverside County Registrar of Voters, the Sheriff seized roughly 1,000 boxes of ballots and began to conduct an amateur and dubious "recount" of the number of votes that were included in the final certified results.

Citing grave concerns about the legal sufficiency of two search warrants obtained by the Sheriff, and the negative impact on public confidence in election administration that could result from a poorly supported criminal investigation, Petitioner Attorney General Rob Bonta directed Sheriff Respondents to pause all work and provide the Attorney General with a copy of the case file and related documents so he could better understand the basis of the investigation and work with the Sheriff to decide the best course of action.

Despite repeatedly representing that he would comply, Sheriff Bianco willfully violated the Attorney General's directives and continued to abuse the criminal process. On March 19, 2026, without notifying the Attorney General, the Sheriff went to court again and obtained an additional search warrant that purports to require a recount of the seized ballots. The application for this warrant not only violated the Attorney General's unambiguous directive, but it was also

so facially insufficient that it failed to meet even the most basic constitutional and statutory standards, most notably that it did not allege the commission of a crime.

Then, in a press conference the following day, Sheriff Bianco announced that he would continue his investigation, including his planned “recount” of the ballots. But the Sheriff repeatedly confirmed what is clear on the face of all three warrants—that he has no basis to believe that anyone has committed a crime. Rather, he told the public that the purpose of the investigation is “just as much to prove the election is accurate as it is to show otherwise.” (Sheriff Bianco, *Election Fraud Investigation Press Conference* (“Press Conference”), Riverside Cnty. Sheriff’s Off., at 05:53 (Mar. 20, 2026), <https://youtu.be/Lo6ir8fEULI?t=353>.) While ominously hinting at the possibility of systemic “fraud” in the election, the Sheriff openly admitted that he is essentially undertaking a general “fact-finding mission”—a blatantly insufficient basis to embark on a criminal investigation. (*Id.* at 04:00, <https://youtu.be/Lo6ir8fEULI?t=240>.) The Sheriff also accused the Attorney General, who has broad and express constitutional and statutory authority to supervise and direct the Sheriff’s investigation (Cal. Const., art. V, § 13; Gov. Code, § 12560), of improperly “interfering.” (Press Conference, *supra*, at 00:51, <https://youtu.be/Lo6ir8fEULI?t=51>.)

The Sheriff’s actions—launching an unprecedented criminal investigation into the special election without identifying any particular crime that may have been committed by anyone, and openly defying the Attorney General’s lawful directives—demand immediate judicial intervention. Given Sheriff Respondents’ open and continuing

defiance, the important questions presented in this petition must be resolved more quickly than would be possible by resorting to the trial court in the first instance. Additionally, absent swift action by this Court, the Sheriff's misguided investigation threatens to sow distrust and jeopardize public confidence in the upcoming primary and general elections, not just in Riverside County but around the State.

The Attorney General has a duty and authority to ensure the “uniform[] and adequate[]” enforcement of state laws, including state election laws. (Cal. Const., art. V, § 13.) To that end, he has “direct supervision” over the Sheriff's investigation, (*ibid.*), and, if he decides it is necessary in the public interest, authority to “direct the activities” of the Sheriff or “take full charge” of the investigation himself (Gov. Code, §§ 12560, 12550). The Sheriff's blatant disregard for this Constitutional division of authority between him and the Attorney General is causing serious, ongoing harm that requires immediate redress to prevent further abuses of the criminal process. There are statutory processes, overseen by state and local elections officials, to request a recount or challenge the results of an election, but no one invoked them during the statutorily-mandated time period. Instead, the Sheriff has seized on perceived problems with the results in Riverside County to appoint himself as the county elections monitor, a role that he has no authority and no expertise to play. His defiance of the Attorney General's authority to pursue a criminal investigation casting doubt on election results both violates our constitutional order and threatens to create a dangerous precedent if it is not quickly and decisively halted by this Court.

Therefore, as set forth in more detail below, the Court should exercise its discretion to decide this case as an original matter and issue an immediate stay of the Sheriff's investigation, and an immediate stay of execution of the March 19 warrant. (See Cal. Rules of Court, rules 8.486(a)(7), 8.487(a)(4); Code Civ. Proc., § 923.)

The Court should then set an accelerated briefing schedule, consider the matter expeditiously, and issue a writ or other appropriate order (1) requiring Sheriff Respondents to comply with the Attorney General's directives in connection with the investigation, including, but not limited to, directives issued on February 26, March 4, and March 6, 2026, and (2) requiring the Superior Court to quash the March 19 warrant as legally insufficient or, in the alternative, staying further execution of the March 19 warrant and any related orders pending the Attorney General's review of the matter.¹

NEED FOR IMMEDIATE WRIT RELIEF FROM THE COURT OF APPEAL

1. The Sheriff's defiance of the Attorney General's directives does irreparable harm to the constitutional and statutory framework of state government. The Attorney General is the chief law officer of the State vested by law with the discretionary power to supervise sheriffs "in all matters pertaining to the duties of their respective offices." (Cal. Const., art. V, § 13.) Yet Sheriff Respondents have ignored and

¹ Although all three warrants suffer from serious legal deficiencies, Sheriff Bianco has represented that his office's execution of the first two is largely complete, while the March 19 warrant's mandate to conduct a recount is pending. Accordingly, the Attorney General seeks relief in this Court as to the March 19 warrant, which was also obtained in violation of his directives.

willfully violated the Attorney General's clear orders related to this investigation, including by seeking a further warrant to continue the recount despite the Attorney General's orders to stand down. This flagrant breach follows weeks in which Sheriff Respondents repeatedly ignored communications from the Attorney General's office, failed to timely provide requested documents, and actively misled the Attorney General about their intention to comply with his directives. The Court should act swiftly to preserve the constitutional division of authority between the Attorney General and county sheriffs, halt the Sheriff Respondents' brazen, ongoing violations of the Attorney General's orders, and stay execution of the March 19, 2026 warrant and any related orders which were obtained in violation of the Attorney General's directives.

2. Sheriff Bianco's criminal investigation and seizure of ballots and other materials from the Riverside County Registrar of Voters is, as far as the Attorney General is aware, unprecedented in state history. Most concerning, the investigation, on its face, suggests there is something *criminally* awry with state elections in Riverside County. But the Attorney General's review of the probable cause affidavits indicates the absence of any legally sufficient basis for Sheriff Respondents' actions. A rushed and inadequately supported criminal investigation reinforces false narratives: that elections are suspect; that the results cannot be trusted; and that election administration is compromised. That perception erodes public confidence in the safety and security of our elections and, in turn, chips away at our democratic system and potentially chills voter participation.

3. At the same time, the Attorney General takes seriously the allegations and concerns that have been raised in Riverside County and must be permitted to review them and determine how best to proceed without the Sheriff's continued interference and defiance. By repeatedly ignoring and violating the Attorney General's directives, the Sheriff is making it impossible for the Attorney General to exercise his constitutional and statutory supervisory authority in a matter of public importance.

4. For all these reasons, the Attorney General respectfully asks that this Court issue immediate and temporary relief (1) ordering Sheriff Respondents to take no further action on the investigation and preserve all documents seized to date, and (2) staying execution of the March 19, 2026 warrant and any other related court order, including any order appointing a special master. Such an order is necessary to prevent significant, irreparable harm to the Attorney General and the public while the Court considers the important legal questions presented in this Petition.

5. Additionally, given the potential of the Sheriff's investigation to damage public confidence in upcoming elections, the Attorney General respectfully requests that this case be adjudicated by the Court of Appeal in the first instance and decided on an expedited briefing schedule. (Cal. Const., art. VI, § 10; *Strauss v. Horton* (2009) 46 Cal.4th 364, 399; *Vandermost v. Bowen* (2012) 53 Cal.4th 421, 441 & fn. 15.) This matter presents a purely legal question of constitutional and statutory interpretation: whether a California sheriff must comply with specific, lawful directives by the Attorney General regarding a criminal investigation in the Sheriff's jurisdiction. The sufficiency of the March

19, 2026 warrant is also a pure question of law proper for resolution by this Court.

**PETITION FOR WRIT OF MANDATE AND/OR OTHER
EXTRAORDINARY RELIEF AND REQUEST FOR EXPEDITED
REVIEW**

I. JURISDICTION

6. This Court has original jurisdiction under article VI, section 10 of the California Constitution and Code of Civil Procedure sections 1085, subdivision (a) and section 1086, to decide issues of great public importance that require prompt resolution. This is such a case, for at least three reasons.

7. *First*, this case concerns the constitutional and statutory relationship between the Attorney General and California sheriffs. The Attorney General's supervisory power over sheriffs has been seldom litigated and never in the context of a sheriff's direct defiance of the Attorney General's directives. The nature of the Attorney General's supervisory power and the duties that flow from it present pure legal questions of great public importance. These legal questions require urgent resolution here, as Sheriff Respondents are willfully and openly violating the Attorney General's directives in a matter with serious ramifications for public trust in election administration statewide.

8. *Second*, after being directed to stand down all further investigation, and telling the Attorney General that he would do so, the Sheriff ran to court again without notice to the Attorney General and obtained another search warrant. That warrant, like the two previous warrants he obtained, fails to meet basic statutory and constitutional standards governing the issuance of criminal search warrants. This

Court should act expeditiously to vindicate the Attorney General’s authority and prevent any further abuses of the criminal process by the Sheriff.

9. *Third*, these important questions arise in the context of a questionable criminal investigation into supposed irregularities with the 2025 Special Election in Riverside County. The Sheriff’s investigation is unprecedented in scale and scope—the Attorney General is not aware of any prior instance in California history in which a local law enforcement officer has seized all the ballots cast in an election in pursuit of a criminal investigation. Yet Sheriff Respondents’ warrant affidavits, including for the March 19 warrant, fail to identify any felony that may have been committed or establish a legally sufficient basis for a criminal search warrant. Indeed, at his recent press conference, the Sheriff admitted that this is a “fact finding mission”—something far afield from a criminal investigation supported by probable cause. (Press Conference, *supra*, at 04:00, <https://youtu.be/Lo6ir8fEULI?t=240>.) Given these red flags, the Sheriff’s investigation threatens to unfairly erode public confidence in the safety and security of California’s elections. Indeed, the Sheriff’s move to seize 1,000 boxes of ballots and other election-related materials from the November 2025 Special Election—on vaguely stated grounds that they are evidence of a crime—threatens to chill voter participation. To ensure this issue is resolved without delay, this Court should move promptly and decide this matter in the first instance.

10. The Attorney General is entitled to a writ of mandate because he does not have “a plain, speedy, and adequate remedy, in the ordinary course of law.” (Code Civ. Proc., § 1086.) Action by this Court

is necessary to vindicate the Attorney General’s supervisory authority over the Sheriff, and to ensure the Attorney General can carry out his constitutional mandate to ensure that state election laws are enforced uniformly and adequately. (Cal. Const., art. V, § 13.) Mandamus requiring the Superior Court to quash the March 19 warrant is also proper because the Attorney General does not have another “plain, speedy, and adequate remedy” to challenge its issuance. (Code Civ. Proc., § 1086.)

II. PARTIES

11. Petitioner, the Attorney General of the State of California, is the chief law officer of the State, and has a constitutional duty to supervise county sheriffs, including the authority to “direct the activities of any sheriff relative to the investigation or detection of crime within the jurisdiction of the sheriff.” (Gov. Code, § 12560; Cal. Const., art. V, § 13.)

12. Respondent Chad Bianco is the elected Sheriff of Riverside County. Sheriff Bianco is in charge of the Riverside County Sheriff’s Department, another respondent in this case.

13. Respondent Superior Court of the State of California for the County for Riverside is the judicial authority that issued the March 19, 2026 warrant.

III. FACTUAL BACKGROUND

14. On November 4, 2025, California held a statewide special election to vote on Proposition 50, also known as the “Election Rigging Response Act,” which would allow the State to use a congressional district map drawn by the Legislature for elections held between 2026

through 2030. According to statewide results posted by the Secretary of State, the election resulted in 7,453,339 votes in favor of Proposition 50 (or 64.4%) and 4,116,998 votes against (or 35.6%). The Secretary of State's results show that in Riverside County, the election resulted in 369,565 votes in favor of Proposition 50 (or 56.3%) and 286,995 votes against (or 43.7%).

15. Following the election, a community group known as the Riverside Election Integrity Team (REIT) conducted what they termed an “audit” of the 2025 Special Election, which they based on documents they obtained through a Public Records Act request to the Riverside County Registrar of Voters. The REIT claimed their audit showed that 627,802 ballots had been cast, of which 16,376 ballots were rejected,² bringing the total number of valid ballots cast to 611,426. The Registrar of Voters' public tally indicated that 657,322 votes were counted. Based on this difference, the REIT asserted that approximately 45,896 more ballots had been counted than cast.

16. The California Elections Code provides a mechanism for electors to initiate an election contest on the basis that “there was an error in the vote-counting programs or summation of ballot counts.” (Elec. Code, § 16100, subd. (g).) The Elections Code also sets out the proper process for such contests. (See *id.*, §§ 16400-16467.) No election contest was initiated in Riverside County for the November 2025 Special Election.

² Ballots can be rejected for several reasons, for example, the ballot return envelope lacked a voter signature, the signature did not match the signature on file, or the ballot was damaged.

17. On February 9, 2026, [REDACTED] [REDACTED] the Riverside County Sheriff's Department obtained a criminal search warrant [REDACTED] [REDACTED] [REDACTED] [REDACTED].

18. On February 10, the night after the Sheriff obtained the warrant, the alleged discrepancies identified by REIT were the subject of a Riverside County Board of Supervisors meeting. In a lengthy, detailed presentation to the Board, Riverside County Registrar of Voters Art Tinoco explained that the supposed discrepancy identified by REIT was due to a number of factors, including that REIT did not have complete vote count information, it used raw data instead of the actual processed votes, and the raw data it used in the "audit" was prone to human error. He further explained that the handwritten forms upon which REIT relied to determine the number of ballots that were cast (versus counted) are not used by elections officials to determine actual vote counts.

19. The Registrar of Voters only counts ballots using one system—the Liberty Vote System (LVS), which electronically scans and counts the eligible ballots received. Separately, the Registrar of Voters tracks all voter registration profiles in its Election Information Management System (EIMS), which records the voter participation history of all registered voters in the county. As a way to roughly cross-check the votes counted, these two data sets can be compared, but they are not intended to align perfectly (and in fact, virtually no county has a perfect match between the two numbers).

Stephen Woolery, asked Sheriff Bianco to provide copies of the probable cause affidavits that were submitted in connection with the warrant requests. Sheriff Bianco emailed the affidavits to Chief Woolery from his official email address that day.

24. Later that same day—Wednesday, February 25—the Attorney General, acting through Chief Woolery, called Sheriff Bianco and requested that he briefly delay execution of the warrants for one week, until March 6, 2026, to allow his office to better understand the basis for the investigation and search warrants. This was due, in part, to concerns that the affidavits failed to identify any specific felony offense Sheriff Respondents had probable cause to believe had been committed and failed to identify particular persons or targets of the investigation, as required by Penal Code section 1524, subdivision (a)(4), and section 1525. Rather than delay execution of the warrant as requested, however, Sheriff Bianco instead accelerated the timeline of the search and seized the ballots later the same day, just a few hours after he heard from Chief Woolery.

25. After learning that the warrants had been executed, despite his request for a brief delay, the Attorney General sent a letter via email to Sheriff Bianco the night of February 26, 2026, directing him to (1) preserve all ballots, documents, or other materials that had been seized, and (2) pause further action until the Attorney General’s Office had the opportunity to review the matter. A true and correct copy of the February 26 letter is set out in Exhibit C in the Appendix of Exhibits hereto. The letter explained that election integrity and public confidence in election administration are matters of statewide concern, and that the Attorney General has a constitutional duty to ensure the

uniform and adequate execution of state election laws. The letter further explained that the Attorney General has supervisory authority under article V, section 13 of the California Constitution and Government Code section 12560 to, among other things, “direct the activities of any sheriff relative to the investigation or detection of crime within the jurisdiction of the sheriff.” The Attorney General expressed his concerns regarding the unprecedented nature and scope of Sheriff Bianco’s investigation, including his decision to seize approximately 1,000 boxes of ballots. The letter also pointed out apparent deficiencies in the probable cause affidavit that was used to obtain the warrants. Finally, the Attorney General expressed his concern that the investigation threatened to undermine public confidence in state elections. The letter requested that Sheriff Bianco confirm compliance with the Attorney General’s directives by noon on Friday, February 27, 2026, and indicated that the Attorney General would contact the Sheriff in the following days to discuss how their two offices may work together to address the allegations underlying the Sheriff’s investigation.

26. Sheriff Bianco did not respond by the requested deadline, nor did he respond to multiple subsequent attempts by the Attorney General’s Office to make contact, including phone calls Chief Woolery made to the Sheriff on Friday, February 28 and Monday, March 2. The Attorney General also attempted to communicate with the Sheriff by contacting the Riverside County Counsel’s Office, but was informed on March 2, 2026 that the County Counsel’s Office is not representing the Sheriff’s Department in this matter.

27. On March 4, 2026, the Attorney General's Office learned that Sheriff Respondents planned to proceed with their investigation the following morning by starting to count the voted ballots they had seized, and that they planned to assign 12 employees working four days a week, five to seven hours each day, to the task until completion. The Riverside County Counsel's office, which represents the Registrar of Voters, confirmed these reports.

28. Accordingly, on March 4, 2026, the Attorney General sent a further letter via email to Sheriff Bianco directing him to stand down all further investigative activities. A true and correct copy of the March 4 letter is set out in Exhibit D in the Appendix of Exhibits hereto. The letter describes the Sheriff's failure to respond to the Attorney General's February 26 letter, the repeated unsuccessful efforts made by the Attorney General's Office to contact the Sheriff, and the Sheriff's plan to blatantly violate the Attorney General's directives by opening sealed ballot boxes and initiating a "recount" of the ballots. The letter requested that Sheriff Bianco notify the Attorney General's Office of his compliance with all directives by 10:00 a.m. on Thursday, March 5, 2026, and warned him that if he failed to do so, the Attorney General was prepared to seek legal recourse.

29. Rather than confirming compliance on the morning of March 5, 2026, Sheriff Respondents initiated their planned "recount" of ballots, according to information confirmed by the Registrar of Voters.

30. Within a few hours, Sheriff Respondents abruptly changed course. The Attorney General's Office received an email from Sheriff Bianco at 1:30 p.m. on March 5, 2026 stating that he had received the March 4 email containing the letter from the Attorney General. Sheriff

Bianco further stated, “I can also confirm we are complying with the directive of the letter pending further communication with your office.” A true and correct copy of this email is set out in Exhibit E in the Appendix of Exhibits hereto.

31. On March 6, 2026, the Attorney General sent a further letter via email to Sheriff Bianco directing him to provide a copy of the case file and other documents related to the matter by March 11, 2026. A true and correct copy of this email is set out in Exhibit F in the Appendix of Exhibits hereto.

32. Despite Sheriff Bianco’s earlier assurances of compliance, Sheriff Respondents did not provide any documents by March 11, 2026, nor did they acknowledge the directive.

33. In an attempt to elicit compliance without litigation, Senior Assistant Attorney General Anthony Brady contacted Sheriff Bianco and eventually spoke with him on March 13, 2025. Sheriff Bianco informed Senior Assistant Attorney General Brady that he had not reviewed the March 6 email or letter, but that he would comply and send the requested material. Senior Assistant Attorney General Brady again emailed Sheriff Bianco the letter and requested the documents be provided by March 18, 2026. A true and correct copy of this email correspondence is attached hereto in Exhibit G in the Appendix of Exhibits hereto.

34. At 9:54 p.m. on March 18, 2026, Sheriff Bianco’s private counsel provided the Attorney General with (1) copies of the Attorney General’s own February 26, March 4, and March 6 letters, and (2) a “standard operating procedure” for recounting the number of ballots that were included in the final certified results in the November 2025

Special Election. The Sheriff failed to provide any part of the case file setting out the basis for his investigation. The Sheriff's counsel further stated that Sheriff Respondents were "working on" gathering the remaining documents and that he would work to see that they were delivered "expeditiously." A true and correct copy of this email correspondence is attached hereto in Exhibit H in the Appendix of Exhibits hereto.

35. Despite the Sheriff's previous assurance that he was standing down pending further instructions, unbeknownst to the Attorney General, the very next day the Sheriff's Office instead went back to the Superior Court and got a *third* warrant to restart the recount.

36. On March 20, 2026, Sheriff Bianco convened a press conference to announce that he had obtained a further court order to continue counting the ballots, which he said would be carried out under the supervision of a special master.³

37. Sheriff Bianco accused the Attorney General of "interfering" and stated that "this investigation will continue despite AG Bonta's attempts to stop it." (Press Conference, *supra*, 03:33, <https://youtu.be/Lo6ir8fEULI?t=214>.) Sheriff Bianco also said his office is "currently working with the court in determining a special master and we will coordinate with them for the count." (*Id.* at 06:34, <https://youtu.be/Lo6ir8fEULI?t=394>.)

38. Notably, Sheriff Bianco's statements at the press conference cast his investigation in *civil* or *administrative* rather than *criminal*

³ A video of the press conference is available online at <https://www.youtube.com/watch?v=Lo6ir8fEULI>

terms. For example, he stated that his proposed recount “is basically a fact finding mission,” that “the purpose of this investigation is just as much to prove the election is accurate as it is to show otherwise,” and that “if the numbers match, we have done our due diligence to ensure the trust and confidence in our Riverside County election elections.” (Press Conference, *supra*, 00:04:00, 00:05:53, 00:06:05, <https://youtu.be/Lo6ir8fEULI?t=365>.) These statements align with the Attorney General’s assessment that Sheriff Respondents have uncovered no evidence tending to suggest that *any* felony crime occurred.

39. The Attorney General’s Office requested and received from Sheriff Bianco’s counsel a copy of the new “court order,” which is a third search warrant signed on March 19, 2026. A true and correct copy of this warrant and its supporting affidavit is set out in Exhibit I in the Appendix of Exhibits hereto.

40. As with the earlier warrants, the affidavit submitted in support of the March 19, 2026 warrant fails to identify any specific felony or any specific person who the Sheriff has probable cause to believe committed a criminal offense. (See Pen. Code, §§ 1524, subd. (a)(4), 1525.) The Attorney General has assessed that this warrant is legally insufficient.

[REDACTED]

[REDACTED]

[REDACTED]

42. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

43. Sheriff Respondents have not provided the Attorney General’s Office with a full record of the court filings related to this matter, which the Attorney General believes to be sealed. Consequently, the Attorney General is unaware of whether there are any further orders from the Superior Court, including the possible appointment of a special master as announced at the March 20, 2026 press conference.

44. As of today, Sheriff Respondents still have not provided the case file and related documents requested by the Attorney General. The Attorney General lacks knowledge as to whether a special master has been appointed and whether the recount has started.

IV. BASIS FOR RELIEF

45. The California Constitution designates the Attorney General as “the chief law officer of the State.” (Cal. Const. art. V, § 13.) It further provides that it “shall be the duty of the Attorney General to see that the laws of the State are uniformly and adequately enforced,” and to that end, the Constitution gives the Attorney General “direct supervision” over sheriffs, district attorneys, and other law enforcement officers in California, “in all matters pertaining to the duties of their respective offices.” (*Ibid.*)

46. The Government Code further provides that “[w]henver the Attorney General deems it necessary in the public interest the Attorney General shall direct the activities of any sheriff relative to the investigation or detection of crime within the jurisdiction of the sheriff, and may direct the service of subpoenas, warrants of arrest, or other processes of court in connection therewith.” (Gov. Code, § 12560.)

47. The plain language of the California Constitution and the Government Code authorize the Attorney General to direct Sheriff Bianco to pause his investigation into the November 2025 Special Election, including his recount of the ballots, to preserve all seized materials, and to provide documents to the Attorney General to enable his office to review the matter. The Attorney General validly exercised his supervisory power here, and Sheriff Bianco has a mandatory duty to comply with the Attorney General’s directives.

48. A directive issued by the Attorney General pursuant to his constitutional and statutory authority creates a clear, present, and ministerial duty for the Sheriff to act in a particular way, and the Attorney General has a clear, present, and beneficial right to performance of that duty, such that mandamus relief is appropriate. (*Riverside Sheriff’s Assn. v. County of Riverside* (2003) 106 Cal.App.4th 1285, 1289.) There is no other plain, speedy, and adequate remedy at law. (Code Civ. Proc., § 1086.)

49. A search warrant must be supported by probable cause. (U.S. Const., 4th Amend.) This requires that the affidavit provide sufficient evidence to support the magistrate’s finding that “given all the circumstances set forth in the affidavit . . . there is a fair probability

that contraband or evidence of a crime will be found in a particular place.” (*Illinois v. Gates* (1983) 462 U.S. 213, 238.)

50. California law also requires that, as indicated on the face of each warrant, the items sought must “tend[] to show that a felony has been committed, or tend[] to show that a particular person has committed a felony.” (Pen. Code, § 1524, subd. (a)(4).)

51. The Attorney General, as the chief law officer of the State, has a vital, constitutional interest in ensuring compliance with these basic requirements governing the issuance of criminal search warrants in matters that he is supervising. (Cal. Const., art. V, § 13.) The Attorney General also has a vital, constitutional interest in ensuring compliance with California law governing the proper handling and preservation of sealed ballots. (*Ibid.*; Elec. Code, §§ 17301-17302.)

52. Sheriff Respondents sought, and the Superior Court issued, a legally deficient warrant in a matter where the Attorney General had already invoked his supervisory authority and directed that the investigation be temporarily halted while he reviewed the basis for the investigation. Despite that directive, of which the Superior Court was apprised, the March 19, 2026 warrant purports to require the opening and recounting of sealed ballots.

53. Additionally, “[m]andate lies to control judicial discretion when that discretion has been abused.” (*State Farm Mutual Auto. Ins. Co. v. Superior Court* (1956) 47 Cal.2d 428, 432.) Mandamus writ relief is proper where a lower court has issued a warrant on a legally insufficient basis and there is no other procedural mechanism for the

petition to secure relief.⁴ (*Dunn v. Mun. Ct., Eureka Jud. Dist.* (1963) 220 Cal.App.2d 858, 867 [issuing writ granting defendant relief non-appealable erroneous decision trial court decision rejecting the defendant's challenge to the warrant].) An extraordinary writ of mandamus is proper to quash the March 2026 warrant, or in the alternative, stay its execution and the execution of any related order such as the appointment of a special master. The Attorney General has no other plain, speedy, and adequate remedy at law. (Code Civ. Proc., § 1086.)

V. RELIEF REQUESTED

Wherefore, Petitioner requests that this Court:

1. Issue an immediate, temporary stay of any further investigation of the November 2025 Special Election by Sheriff Respondents, including any resumption in recounting the seized ballots or further execution of the search warrants, by Sheriff Bianco and the Riverside County Sheriff's Department.

2. Issue an immediate, temporary stay of execution of the March 19, 2026 warrant and any related orders, including any appointment of a special master.

3. Issue a peremptory writ of mandate, or other extraordinary relief as warranted, directing Respondents Sheriff Chad Bianco and the Riverside County Sheriff's Department to comply with the Attorney

⁴ Because the Attorney General is not a defendant, and is not seeking a return of property at this time, the procedures for challenging warrants in Penal Code sections 1538.5 and 1539 are not available to him.

General's supervisory directives to (1) take no further action on the investigation of the November 2025 Special Election in Riverside County pending the Attorney General's review, (2) preserve all documents and ballots seized to date, and (3) immediately provide the Attorney General's Office with the documents requested in his March 6 letter.

4. Issue a peremptory writ of mandate, or other extraordinary relief as warranted, ordering Respondent Superior Court to quash the March 19 warrant or, in the alternative, staying execution of the March 19 warrant and any related orders pending the Attorney General's further supervisory directives to the Sheriff.

5. Issue a peremptory writ of mandate, or other extraordinary relief as warranted, directing Respondents Sheriff Chad Bianco and the Riverside County Sheriff's Department to comply with all subsequent supervisory directives issued by the Attorney General related to this matter.

6. Order such other relief as may be just and proper.

Respectfully submitted,

ROB BONTA

Attorney General of California

THOMAS S. PATTERSON

Senior Assistant Attorney General

PAUL STEIN

Supervising Deputy Attorney General

LINDSAY M. BAILEY

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LISA C. EHRLICH

Deputy Attorneys General

/s/ Anne P. Bellows

ANNE P. BELLOWS

Deputy Attorney General

Attorneys for Petitioner California

Attorney General Rob Bonta

March 23, 2026

VERIFICATION

I, Anne P. Bellows, declare:

I am counsel for the Petitioner in this action. I have read the foregoing Petition for Writ of Mandate and am familiar with the contents thereof. The facts alleged in the petition are within my own knowledge and I know those facts to be true, and on that ground allege that the contents contained therein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: March 23, 2026

/s/ Anne P. Bellows

Anne P. Bellows

MEMORANDUM OF POINTS AND AUTHORITIES

Petitioner Attorney General Rob Bonta urgently seeks a writ of mandate enforcing his directives to Riverside County Sheriff Chad Bianco in connection with the Sheriff's investigation of the November 2025 Special Election in Riverside County, and quashing a March 19, 2026 search warrant that the Sheriff obtained in direct violation of the Attorney General's directives, and that fails to meet basic statutory and constitutional standards governing the issuance of criminal warrants.

In late February, acting on serious concerns about the unsubstantiated nature of the alleged discrepancies at the heart of the Sheriff's investigation, serious concerns about deficiencies in two warrants obtained by the Sheriff, the unprecedented breadth of the documents to be seized, and the potential for significant damage to public confidence in elections, the Attorney General exercised his supervisory powers to oversee this sensitive matter. The Attorney General directed the Sheriff to briefly pause all action in the investigation and preserve all seized evidence, and subsequently directed the Sheriff to provide copies of the case file and other relevant documents to his office. Although the Attorney General has clear, express authority to "direct" the Sheriff's activities "relative to the investigation or detection of crime" (Gov. Code, § 12560), the Sheriff has openly and intentionally defied the directives, including by seeking and obtaining a *third* legally deficient warrant purporting to require a recount of the seized ballots. In these circumstances, the Attorney General is entitled to a writ of mandamus requiring the Sheriff to follow his lawful orders. The Court should also issue a writ of mandamus or other appropriate relief ordering the Superior Court to

quash the legally deficient March 19 warrant or in the alternative stay its execution and the execution of any related orders.

This Court has original jurisdiction to issue the requested relief because it is a matter of great public importance and must be resolved promptly to vindicate the Attorney General’s authority over the Sheriff, prevent further abuses of the criminal process by the Sheriff, and safeguard public trust in California’s elections.

I. THIS COURT SHOULD EXERCISE ITS ORIGINAL MANDAMUS JURISDICTION

This Court possesses original jurisdiction to issue writs of mandamus under the California Constitution where the “issues presented are of great public importance and should be resolved promptly.” (*Cal. Laboratory Federation v. Occupational Safety & Health Stds. Bd.* (1990) 221 Cal.App.3d 1547, 1555.) This is precisely such a case. It presents an important, purely legal issue regarding the Attorney General’s constitutional and statutory authority over a California sheriff and must be resolved promptly. (See, e.g., *Brown v. Fair Political Practices Com.* (2000) 84 Cal.App.4th 137, 140 fn. 2 [exercising original jurisdiction where petition “raise[d] novel issues of substantial public interest involving municipal government and the [Political Reform Act]”].)

A. This Case Presents Questions of Great Importance That Require Resolution by the Court of Appeal in the First Instance.

The issues presented by this case are of grave public importance, both touching on fundamental constitutional questions underlying the structure of state government and implicating sensitive election interests.

The legal issues presented by this case are of statewide importance and should be addressed in the first instance by this Court. The textual basis for the Attorney General's supervisory authority is clear, though few cases have addressed what it means in particular circumstances, largely because disputes between the Attorney General and county sheriffs (or district attorneys) arise infrequently and are rarely if ever litigated. There is a strong public interest in clarifying the metes and bounds of state authority over local law enforcement investigations. (See *Beck v. County of Santa Clara* (1988) 204 Cal.App.3d 789, 800 [finding that a sheriff's "duties are of statewide importance, a fact [] cemented by the existence of myriad statutes regulating his duties"].) A ruling in this case would provide guidance to every sheriff's department as well as to the Attorney General. Thus, although this case involves an isolated dispute between the Attorney General and a lone sheriff, it has ramifications statewide for California law enforcement.

The importance of this case is further magnified by its particular context: a dubious investigation—purportedly of a criminal nature—into administration of the November 2025 Special Election in Riverside County. As our Supreme Court has held, "the integrity of the electoral process, at both the state and local level, is undoubtedly a statewide concern." (*Johnson v. Bradley* (1992) 4 Cal.4th 389, 409.) Indeed, "[c]onfidence in the integrity of our electoral processes is essential to the functioning of our participatory democracy." (*Purcell v. Gonzalez* (2006) 549 U.S. 1, 4.) Here, however, Sheriff Bianco has embarked on an investigation that threatens to undermine public confidence in elections, and could chill voter participation going forward, not just in

Riverside County but around the state. And despite the criminal overtones of the investigation, the Sheriff's public statements that he is conducting a "fact-finding mission" corroborates that Sheriff Respondents do not, in fact, have probable cause to believe that any crime has been committed in connection with the 2025 Special Election. (Press Conference, at 04:00, <https://youtu.be/Lo6ir8fEULI?t=240>.)

As explained in more detail below (Section II.D, *infra*), the March 19 warrant is not supported by probable cause and fails to comply with California statutory requirements. And it was obtained after the Attorney General, based on serious concerns about two previous warrants obtained by the Sheriff, had directed the Sheriff to stand down, and the Sheriff had personally assured the Attorney General's Office that he was complying. The Sheriff's duplicity and flagrant noncompliance make a mockery of the constitutional and statutory provisions that bind him to follow the Attorney General's directives in this investigation (Cal. Const., art. V, § 13; Gov. Code, § 12560), and could have grave ramifications for public trust in election administration statewide.

The Sheriff's open defiance—just as much as the Sheriff's unprecedented actions in seizing ballots with an insufficient basis—directly threatens public confidence that the state's election laws are being fairly, competently, and uniformly enforced. (Cal. Const., art. V, § 13.) If one sheriff is permitted to forage around local election offices [REDACTED], and to defy the Attorney General's efforts to supervise those efforts, other local actors may be emboldened to take similar steps. Similar investigations carried out even closer in time to an election, or

during the administration of an election itself, would be even more concerning.

For all these reasons, this case presents a matter of pressing public importance suitable for resolution by this Court as an original matter. (See, e.g., *Brosnahan v. Brown* (1982) 32 Cal.3d 236, 241 [invoking original jurisdiction to hear constitutional challenges to a just-passed ballot initiative]; *Amador Valley Joint Union High School Dist. v. State Bd. of Equalization* (1978) 22 Cal.3d 208, 219 [same].)

B. Prompt Resolution Is Necessary to Address the Ongoing Harm from Sheriff Bianco’s Noncompliance.

This case also requires prompt resolution by this Court. Sheriff Bianco’s persistent, ongoing noncompliance creates a continuing harm that cannot be remedied after the fact. Every day the Sheriff fails to comply with the Attorney General’s directives, the Attorney General is injured in his ability to carry out his duties as the State’s chief law officer.

And the harms to public confidence in elections can only mount—particularly with the Sheriff pressing ahead with a highly publicized “recount” of the votes under the auspices of a warrant founded on a deficient showing of probable cause. (*Boydston v. Weber* (2023) 90 Cal.App.5th 606, 625, *as mod.* (Apr. 14, 2023) [recognizing the State’s compelling interest in maintaining public confidence in elections].)

The June 2026 Primary Election is less than three months away, followed by the November 2026 General Election. Consequently, the Attorney General needs his supervisory authority enforced *now* so he can ensure that the remainder of the investigation is conducted appropriately and does not unfairly harm public confidence in the

elections. Arguably less time-sensitive matters have been deemed appropriate for resolution in the first instance by the appellate courts. (See, e.g., *Brown, supra*, 84 Cal.App.4th at p. 140 fn. 2 [finding that “the public interest in proceeding with redevelopment favors minimizing delay in resolving the issues”].)

Finally, the questions before the court are ones of pure law—turning on the interpretation of the Attorney General’s statutory and constitutional supervisory role, and the facial sufficiency of a warrant—making them well-suited to original mandamus proceedings in this Court. (See *Cal. Laboratory Federation, supra*, 221 Cal.App.3d at p. 1555.)

II. MANDAMUS IS WARRANTED TO COMPEL SHERIFF RESPONDENTS TO COMPLY WITH THE ATTORNEY GENERAL’S EXERCISE OF HIS SUPERVISORY AUTHORITY AND TO ADDRESS THE UNLAWFUL MARCH 19 WARRANT OBTAINED IN DEFIANCE OF THAT AUTHORITY.

A writ of mandate “may be issued by any court . . . to compel the performance of an act which the law specifically enjoins, as a duty resulting from an office, trust, or station” (Code Civ. Proc., § 1085, subd. (a).) To obtain mandamus relief, the petitioner must show that the respondent has a clear, present, and ministerial duty to act in a particular way, and that the petitioner has a clear, present, and beneficial right to performance of that duty. (*Riverside Sheriff’s Assn., supra*, 106 Cal.App.4th at p. 1289.) Additionally, “[m]andate lies to control judicial discretion when that discretion has been abused.” (*State Farm Mutual Auto. Ins. Co., supra*, 47 Cal.2d at p. 432.) Mandamus writ relief is proper where a lower court has issued a warrant on a legally insufficient basis and there is no other procedural

mechanism for the petition to secure relief. (*Dunn, supra*, 220 Cal. App. 2d at p. 867.) The petitioner must also establish that there is no other plain, speedy, and adequate remedy at law. (Code Civ. Proc., § 1086.) Each of these requirements is amply met here.

A. Attorney General Bonta Validly Exercised His Supervisory Power in Ordering Sheriff Bianco to Preserve All Evidence Seized, Pause the Investigation, and Provide Relevant Documents to the Attorney General’s Office.

Sheriff Bianco’s mandatory duty to follow the Attorney General’s directives flows from the constitutional and statutory framework itself. Article V, section 13 establishes the Attorney General’s supervisory authority, and Government Code section 12560 implements it. Together, they impose a mandatory duty on Sheriff Bianco (and all California sheriffs) to submit to the Attorney General’s supervision and comply with his specific, lawful directives.

The California Constitution provides that the Attorney General, as “the chief law officer of the State” “shall have *direct supervision* over every . . . sheriff . . . *in all matters pertaining to the duties of their respective offices[.]*”⁵ (Cal. Const., art. V, § 13, emphasis added.)

⁵ As explained by then-Alameda County District Attorney Earl Warren, who spearheaded the adoption of this constitutional provision:

The amendment makes possible the coordination of county law enforcement agencies and provides the necessary supervision to insure that result. Without curtailing the right of local self government and without creating any new commission to accomplish this purpose, it *merely enlarges the duties of the Attorney General so as to give him that supervision* and make him responsible for the uniform and

(continued...)

Implementing that power, Government Code section 12560 provides:

The Attorney General has direct supervision over the sheriffs of the several counties of the state, and may require of them written reports concerning the investigation, detection, and punishment of crime in their respective jurisdictions. Whenever the Attorney General deems it necessary in the public interest the Attorney General shall direct the activities of any sheriff relative to the investigation or detection of crime within the jurisdiction of the sheriff, and may direct the service of subpoenas, warrants of arrest, or other processes of court in connection therewith.

(Gov. Code, § 12560, emphasis added.)

These provisions “give[] the Attorney General ‘direct supervision’ of all sheriffs.” (See *Venegas v. County of Los Angeles* (2004) 32 Cal.4th 820, 834 [holding, based in part on the Attorney General’s supervisory power, that sheriffs are state officers for purposes of 42 U.S.C. § 1983].)⁶

In a case analyzing the Attorney General’s parallel supervisory powers over district attorneys, the California Supreme Court explained

adequate enforcement of law throughout the State. *In short, the Attorney General is made the supervisor and coordinator for our county law enforcement agencies.*

(Voter Information Guide, Gen. Elec., Argument in Favor of Prop. 4, 9 (Nov. 6, 1934), emphasis added.)

⁶ *Venegas* rejected a Ninth Circuit case that gave less weight to the Attorney General’s supervisory power and ultimately held that California sheriffs were not state officers for purposes of 42 U.S.C. § 1983 liability. (32 Cal.4th at pp. 830, 834-36 [discussing *Brewster v. Shasta County* (9th Cir. 2001) 275 F.3d 803].)

that the Attorney General has “direct control over how the [district attorney] fulfills his law enforcement duty.” (*Pitts v. County of Kern* (1998) 17 Cal.4th 340, 359 [quoting *McMillian v. Monroe County, Ala.* (1997) 520 U.S. 781, 791]; see also *County of Sacramento v. Central Pacific Railroad Co.* (1882) 61 Cal. 250, 254 (“*Central Pacific*”) [holding that the Attorney General’s supervisory power over district attorneys pursuant to former Political Code section 470 authorized the Attorney General to “assume a paramount control and direction” over matters when assisting the district attorney].) This construction of the Attorney General’s supervisory power in *Pitts* applies equally to sheriffs, as “Government Code section 12560, which relates to sheriffs, is substantially identical to Government Code section 12550, which relates to district attorneys and was relied on in *Pitts*.” (*Venegas, supra*, 32 Cal.4th at p. 834.)

The Attorney General does not exercise this supervisory power lightly, nor does he contend that it is unlimited or that sheriffs act as the Attorney General’s mere agents or employees. Sheriffs are constitutional officers, elected by the citizens of their counties and vested with responsibility to enforce the law in their respective jurisdictions. (Cal. Const., art. XI, §§ 1(b) & 4(c); see also *People v. Brophy* (1942) 49 Cal.App.2d 15, 28 [observing in dicta that sheriffs “are public officers, as distinguished from mere employees” of the Attorney General].)⁷ Nonetheless, the Attorney General retains

⁷ *Brophy*’s commentary in dicta took a narrower view of the Attorney General’s supervisory authority than California Supreme Court cases that came before and after it, including *Central Pacific*,
(continued...)

discretion to exercise the supervisory powers granted by state Constitution and statute where he determines that doing so is necessary in the public interest and where his order lies within the authority granted by law.

Here, Attorney General Bonta is validly exercising this supervisory authority in directing Sheriff Bianco to pause the investigation, to properly secure and preserve all ballots and other evidence already seized, and to provide relevant documents to the Attorney General so that his office can review the matter and determine the appropriate next steps prior to any continuation of the investigation. These modest directives are all well within his power to “direct the activities of any sheriff relative to the investigation or detection of crime” under Government Code section 12560. Indeed, the Attorney General could go further and “take full charge” of the investigation himself (see Gov. Code, § 12550; *Venegas, supra*, 32 Cal.4th at p. 834 [holding that § 12550 is “substantially identical” to § 12560]); for now, he has merely directed the Sheriff to stop and provide relevant information while the Attorney General decides what to do next.

Pitts, and *Venegas*. Three years after *Brophy*, the California Legislature enacted Government Code section 12560 expressly authorizing the Attorney General to “direct the activities of any sheriff relative to the investigation or detection of crime within the jurisdiction of the sheriff” when the Attorney General “deems it necessary in the public interest.” (Stats. 1945, c. 111, p. 462, § 3; see also 9 Ops.Cal.Atty.Gen. 74, 78 (1947) [describing *Brophy*’s commentary as “pure dicta,” criticizing it as inconsistent with *Central Pacific*, and noting that it preceded the 1945 adoption of Government Code sections regarding the Attorney General’s supervisory power].)

Further, the Attorney General properly “deem[ed] it necessary in the public interest” to take these actions. (See Gov. Code, § 12560.) This is broad, flexible language that undoubtedly gives the Attorney General wide discretion to decide, based on his own calculus, when it is in the public interest to direct the activities of a sheriff. (*People v. Honig* (1996) 48 Cal.App.4th 289, 355 [recognizing that a related clause in article V, section 13 of the California Constitution vests the Attorney General with “broad discretion” over when and how to exercise the granted power].)

Here, the Attorney General’s determination of the public interest is well supported by at least three factors. *First*, deficiencies in the warrants raise serious cause for concern. The affidavits filed in support of the warrants fail to identify any particular felony or any person who the sheriff has probable cause to believe committed any criminal offense, and the Sheriff also omitted contrary material facts in the February 23 warrant affidavit, both in violation of legal requirements. (See Pen. Code, §§ 1524 subd. (a)(4), 1525; *Morris, supra*, 57 Cal.App.3d at p. 524). These are grave failures raising serious concerns about potential misuse of the criminal process. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] (See Exhibits A, B.)

8 [REDACTED]
[REDACTED]

Third, given its shaky foundations, the investigation has the potential to unfairly undermine public confidence in state elections. (See *Boydston v. Weber, supra*, 90 Cal.App.5th at p. 625 [recognizing the State’s compelling interest in maintaining public confidence in elections]; *People ex rel. Bonta v. City of Huntington Beach* (2025) 115 Cal.App.5th 962, 970 [declaring the “weight of the state’s interest in regulating (and, where possible, eliminating) barriers to voting”]; see also *Purcell, supra*, 549 U.S. at p. 4.) Given the gravity of these concerns, the Attorney General appropriately determined that the public interest necessitated at least a pause in the investigation to allow his office to review the underlying allegations and information and determine the most appropriate course of action.

It bears noting that subsequent events have only vindicated the Attorney General’s assessment of the public interest. Sheriff Respondents have now sought a third legally deficient warrant, compounding their abuse of the criminal process, and they held a public press conference raising concerns about the 2025 Special Election in Riverside County, all while lacking any basis to suspect that a crime has occurred.

This Court should review the Attorney General’s decision to exercise his supervisory power for “manifest abuse of discretion.” (*Honig, supra*, 48 Cal.App.4th at p. 355.) This demanding, highly deferential standard, which is grounded on separation of powers concerns, requires that “the Attorney General’s decision must be upheld unless no reasonable person could reach the same conclusion.” (*Ibid.*) Under this standard, or any standard, the Attorney General’s

discretionary exercise of his supervisory authority in this case power easily passes muster.

B. The Sheriff's Investigation and Execution of the March 19 Warrant and Any Related Orders Should Be Immediately Stayed.

Sheriff Respondents deliberately violated the Attorney General's supervisory authority when they applied for, and obtained, a search warrant purporting to provide for the appointment of a special master to oversee the counting of the seized ballots on March 19. (Exhibit I.) They have announced publicly that they intend to carry out that recount under the auspices of a special master and have publicly rejected the Attorney General's authority to direct their investigation. To enforce the Attorney General's supervisory authority, which has been validly invoked in this investigation for all the reasons set out above, this Court should issue an immediate stay of Sheriff Respondents' investigation. It should also issue an immediate stay of execution of the March 19 search warrant. (*People v. Superior Court* (2024) 17 Cal.5th 228, 251 ["[T]he Court of Appeal may order a temporary stay of proceedings in the trial court, either in whole or in part, upon the filing of a writ petition."].) In addition, the Court should issue an immediate stay of any other orders related to the March 19 warrant, including the special master order described at the press conference, if it in fact exists.⁹ The Court should maintain the stay until the conclusion of these proceedings. (*See id.* at pp. 251-252.)

⁹ Because the superior court proceedings are sealed, the Attorney General is unaware of what other orders have been issued since he has
(continued...)

This immediate stay is necessary to preserve and protect the Attorney General's supervisory authority over Sheriff Respondents and to protect the status quo by maintaining under seal the vast majority of seized ballots which have not yet been opened.

By obtaining the March 19 search warrant, Sheriff Respondents directly contradicted orders issued by the Attorney General. Specifically, on February 26 and March 4, the Attorney General ordered Sheriff Bianco to halt all further action in his investigation. (Exhibits C, D.) The Sheriff acknowledged these orders and informed the Attorney General he was complying with them on March 5. (Exhibits E, F.) But on March 19, Sheriff Respondents obtained a new search warrant [REDACTED]. (Exhibit I.) The following day, March 20, the Sheriff stated at a public press conference that "this investigation will continue, despite AG Bonta's attempts to stop it." (Press Conference, *supra*, 03:25, <https://youtu.be/Lo6ir8fEULI?t=205>.) Accordingly, an immediate stay is necessary to stay the investigation, stay execution of the March 19 warrant, and stay any related orders including appointment of a special master.

C. This Court Should Compel Sheriff Bianco to Perform His Legal Duty to Comply with the Attorney General's Orders.

The Attorney General's valid directives gave rise to a mandatory and ministerial legal duty on the part of Sheriff Bianco to comply with those orders. (*Morgan v. Bd. of Pension Comrs.* (2000) 85 Cal.App.4th

issued his directives to Sheriff Respondents to halt their investigation and await further instructions.

836, 843 [“A ministerial act is one which a public officer is required to perform in a prescribed manner in obedience to the mandate of legal authority, without regard to his own judgement or opinion.”].) In authorizing the Attorney General to “direct the activities” of the Sheriff “relative to the investigation or detection of crime,” the Legislature necessarily required the Sheriff to comply with any specific directions. (See *Central Pacific, supra*, 61 Cal. at p. 254 [holding that the Legislature’s grant of supervisory power to the Attorney General “implied” corresponding “limitations upon the power of the District Attorney”]; *Beck, supra*, 204 Cal.App.3d at p. 800 [“The Legislature has always had, and still enjoys plenary power to define the sheriff’s duties.”].)

Importantly, the constitutional and statutory scheme gives Sheriff Bianco no discretion to evaluate, countermand, or disregard the Attorney General’s directives. Rather, he must comply with the Attorney General’s lawful directives. Instead, he has failed and even outright refused to do so, including by seeking a further warrant to continue the recount contrary to the order to stand down and by failing to timely provide the documents requested by the Attorney General. These violations amply justify the issuance of a writ of mandate. (*County of San Diego v. State of California* (2008) 164 Cal.App.4th 580, 596 [explaining that mandamus lies where “it is shown the duty to do the thing asked for is plain and *unmixed with discretionary power or the exercise of judgment*”].)

D. This Court Should Require the Superior Court to Quash the March 19 Warrant, Or, in the Alternative, Stay Execution of the March 19 Warrant Pending the Attorney General’s Further Supervisory Directives

Beyond an immediate stay, the Court should also issue a writ of mandate to vacate or quash the March 19 search warrant because the superior court abused its discretion in issuing it. In the alternative, the Court should issue a stay of the March 19 warrant and any related orders (such as a special master order) pending the Attorney General’s further supervisory orders.

“Mandate lies to control judicial discretion when that discretion has been abused.” (*State Farm Mutual Auto. Ins. Co.*, *supra*, 47 Cal.2d at p. 432.) “In a legal sense discretion is abused whenever in the exercise of its discretion the court exceeds the bounds of reason, all of the circumstances before it being considered.” (*Ibid.*) Put another way, an abuse of discretion “is action beyond the limits of discretion, and it is settled that [a] writ will issue to correct such abuse if the facts otherwise justify its issuance.” (*Gomez v. Superior Court* (2025) 113 Cal.App.5th 671, 686.) “A decision that rests on an error of law constitutes an abuse of discretion.” (*In re Esperanza C.* (2008) 165 Cal.App.4th 1042, 1061 *as modified* (Aug. 22, 2008).)

“[T]he sufficiency of the affidavit *on its face*” is a legal question. (*Dunn v. Municipal Court* (1963) 220 Cal.App.2d 858, 867 [granting writ to direct lower courts to vacate order denying motion to quash warrant].) The warrant affidavit must “set forth the facts tending to establish the grounds of the application, or probable cause for believing that they exist.” (*Saunders v. Municipal Court*, (1966) 240 Cal.App.2d 563, 565.) Where the affidavit does not provide a “substantial basis for

concluding that probable cause existed,” a reviewing court must hold a resulting warrant unlawful. (*Illinois v. Gates* (1983) 462 U.S. 213, 238-239 [cleaned up].)

Here, the Superior Court abused its discretion when it issued the March 19 warrant because the supporting affidavit had several deficiencies. As an initial matter, the review of search warrants is a core aspect of the Attorney General’s role as both a prosecutor and as Sheriff Respondents’ direct supervisor. (Cal. Const., art. V, § 13; Gov. Code, § 12550.) And in considering whether law enforcement acts in good faith when they rely on a magistrate’s approval of a search warrant, courts have long considered as relevant whether a prosecutor has reviewed and approved the warrant. (E.g., *People v. Camarella* (1991) 54 Cal.3d 592, 605, fn. 5, citing *United States v. Freitas* (9th Cir. 1988) 856 F.2d 1425, 1430-1432.) The March 19 warrant was never reviewed or approved by the Attorney General—

[REDACTED]

[REDACTED]. (Exhibit I.) Not only did the Attorney General issue the stand-down order to Sheriff Respondents, but he also repeatedly expressed his concerns to the Sheriff Respondents that the February 9 and 23 search warrants were deficient. (Exhibits C, D.) Nevertheless, in defiance of the Attorney General’s direct order, Sheriff Respondents sought, and the superior court ordered, a third search warrant on

March 19. (Exhibit I.) Like the search warrants issued before it, the third warrant is legally deficient in several respects.¹⁰

First, the March 19 search warrant is not supported by probable cause. “The question facing a reviewing court asked to determine whether probable cause supported the issuance of the warrant is whether the magistrate had a substantial basis for concluding a fair probability existed that a search would uncover wrongdoing.” (*People v. Kraft* (2000) 23 Cal.4th 978, 1040.) A magistrate issuing a search warrant must “make a practical, common-sense decision whether, given all the circumstances set forth in the affidavit before him, including the ‘veracity’ and ‘basis of knowledge’ of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place.” (*Illinois, supra*, 462 U.S. at p. 238.) “In determining the sufficiency of an affidavit for the issuance of a search warrant the test of probable cause is approximately the same as that applicable to an arrest without a warrant[.]” (*Kraft, supra*, at p. 1041, quoting *Skelton v. Superior Court* (1969) 1 Cal.3d 144, 150.) Thus, to issue a search warrant, a reviewing magistrate must find that it discloses facts “such as would lead a man of ordinary caution or prudence to believe, and conscientiously to entertain, a strong suspicion of the guilt of the accused.” (*Ibid.*) In addition to the requirements of the Fourth Amendment to the United States

¹⁰ As addressed in footnote 1, *supra*, this Petition seeks extraordinary relief as to the March 19 warrant because it has not been executed and because it was obtained in violation of the Attorney General’s directives. The Attorney General, in his supervisory capacity, will address the other, earlier warrants in due course.

Constitution, California law places significant constraints on the issuance of search warrants. (Pen. Code, § 1524, subd. (a).) As relevant here, and as indicated on the face of each warrant, the items sought must “tend[] to show that a felony has been committed, or tend[] to show that a particular person has committed a felony.” (Pen. Code, § 1524, subd. (a)(4).)

This Court should quash the March 19, 2026, search warrant because the affidavit in support of the warrant neither alleged the commission of a felony nor disclosed probable cause to believe one had occurred.

[REDACTED]

[REDACTED]

Probable cause requires a showing of more than mere “concern;” it requires that a reviewing magistrate entertain a “strong suspicion of the guilt of the accused.” (*Kraft, supra*, 23 Cal.4th at p. 1041.) This affidavit made no such showing. Indeed, there *is no accused to be suspicious of*, and neither is there any allegation that a crime has occurred. These search warrant affidavits draw no connection between possible errors in vote counting and the commission of a felony. Indeed, during his Friday, March 20, 2026, press conference, Sheriff Bianco commented that “we don’t know what the discrepancy is,” that it could be anything, including “human error” or “machine error” and “the only way we know for sure is if we get a very accurate recount.” (Press Conference, *supra*, at 13:18, <https://youtu.be/Lo6ir8fEULI?t=798>.)

[REDACTED]

(Exhibit I.) A search warrant is not the appropriate tool to accomplish that goal. Indeed, other tools and

remedies are available and better-suited to accomplish that task. (See, e.g., Elec. Code, §§ 15610, 15620, 15640, 15645, 16000, et seq.)

Second, in addition to lacking probable cause, the search warrant is legally deficient because a warrant may not authorize a search broader than the facts which support its issuance. (*People v. Hepner* (1994) 21 Cal.App.4th 761, 773, citing *Burrows v. Superior Court* (1974) 13 Cal.3d 238, 250.) This requirement is core to enforcing the “Fourth Amendment’s prohibition on general warrants.” (*Id.* at p. 774.)

Although the March 19 search warrant is [REDACTED]

[REDACTED]. The touchstone of the Fourth Amendment is reasonableness, and it is inherently unreasonable to seize documents [REDACTED]

Third, the order sealing the search warrant is legally deficient because [REDACTED]

[REDACTED]

In light of these multiple, severe deficiencies, which range from a lack of constitutionally required probable cause to inappropriate and unjustified sealing, the Court should order the Superior Court to enter a new order quashing the March 19 warrant.

In the alternative, the Court should issue a preemptory writ of mandate, or other extraordinary relief as warranted, staying execution of the March 19 warrant and any other related order such as appointment of a special master. As described above, the March 19 warrant was obtained in violation of the Attorney General’s order to Sheriff Respondents to pause their investigation and [REDACTED]

[REDACTED] prior to the Attorney General’s review of the case file and investigation would prevent the Attorney General from effectively exercising his authority to “direct the activities” of Sheriff Bianco “relative to [this] investigation.” (Gov. Code, § 12560.) Accordingly, if the Court does not act to require the Superior Court to quash the warrant, it should at the very least stay execution of the March 19

warrant and any related order, such as appointment of a special master, pending the Attorney General's further supervisory directives.

E. No Adequate Remedy Is Available at Law.

Finally, issuance of the writ is appropriate here because the Attorney General has no “plain, speedy, and adequate remedy, in the ordinary course of law.” (Code Civ. Proc., § 1086.) Action by this Court is necessary to ensure that Sheriff Bianco complies with the Attorney General's lawful directives without any further delay. There is no alternative legal remedy available. Damages cannot provide the Attorney General the information he seeks nor undo an investigation that should have been halted. Nor does Government Code section 12560 provide a distinct enforcement mechanism. (Cf. *San Francisco Unified School Dist. v. State of California* (1982) 131 Cal.App.3d 54, 66 [finding that a statutory enforcement mechanism provided an aggrieved party “with an alternative and more complete remedy at law, thus precluding resort to mandamus”]; *Flores v. Dept. of Corrections & Rehabilitation* (2014) 224 Cal.App.4th 199, 206 [finding that the availability of a civil action for conversion was an adequate legal remedy for petitioner seeking mandamus relief for wrongful dispossession of property].) Because the harm is ongoing so long as Sheriff Bianco continues to defy the Attorney General's directives, and there is no other way for the Attorney General to enforce his supervisory authority, mandamus relief is necessary.

Moreover, the Attorney General has no other legal remedy to quash or vacate the March 19 warrant. (Code Civ. Proc., § 1086.) The Attorney General is neither the target of that warrant nor a defendant,

and thus lacks standing to file a motion to quash. (See *People v. Hochanadel* (2009) 176 Cal.App.4th 997, 1020 [finding that to have standing to challenge a search warrant one must have “both a subjective and an objectively reasonable expectation of privacy” to area or material to be searched in the warrant]; see also Pen. Code, § 1538.5 [providing that “a *defendant* may move” to challenge a warrant], emphasis added; *id.* § 1539 [allowing non-defendants to seek a return of property, which is inapplicable here].) Rather, the Attorney General is seeking to undo the unlawful work of his subordinate. Because the Superior Court abused its discretion and committed legal error by issuing the March 19 warrant and the Attorney General lacks any other legal remedy, a writ should issue.

CONCLUSION

For the foregoing reasons, the Court should issue a writ of mandate directing Sheriff Bianco and the Riverside County Sheriff’s Department to comply with the Attorney General’s directives in connection with the Sheriff’s investigation into the November 2025 Special Election in Riverside County and grant the other relief requested herein.

Respectfully submitted,

ROB BONTA

Attorney General of California

THOMAS S. PATTERSON

Senior Assistant Attorney General

PAUL STEIN

Supervising Deputy Attorney General

MALCOLM A. BRUDIGAM

LINDSAY BAILEY

LISA C. EHRLICH

Deputy Attorneys General

/s/ Anne P. Bellows

ANNE P. BELLOWS

Deputy Attorney General

*Attorneys for Petitioner California Attorney
General Rob Bonta*

March 23, 2026

CERTIFICATE OF COMPLIANCE

I certify that the attached Petition for Writ of Mandate and/or Other Extraordinary Relief and Request for Expedited Review; Memorandum of Points and Authorities uses a 13-point Century Schoolbook font and contains 13640 words.

ROB BONTA

Attorney General of California

THOMAS S. PATTERSON

Senior Assistant Attorney General

PAUL STEIN

Supervising Deputy Attorney General

MALCOLM A. BRUDIGAM

LINDSAY BAILEY

LISA C. EHRLICH

Deputy Attorneys General

/s/ ANNE P. BELLOWS

ANNE P. BELLOWS

Deputy Attorney General

Attorneys for Petitioner California Attorney General Rob Bonta

March 23, 2026

DECLARATION OF PERSONAL SERVICE BY MESSENGER

Case Name: **Attorney General of the State of California v. Riverside County Sheriff Chad Bianco, Riverside County Sheriff's Department, and Superior Court of California, County of Riverside**

No.:

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practices at the Office of the Attorney General for collecting and processing physical correspondence. Participants in this case who must be personally served will receive hard copies of said correspondence through a commercial carrier.

On March 23, 2026, I caused the attached **PETITION FOR WRIT OF MANDATE AND/OR OTHER EXTRAORDINARY RELIEF AND REQUEST FOR EXPEDITED REVIEW; MEMORANDUM OF POINTS AND AUTHORITIES; APPENDIX OF EXHIBITS; MOTION TO SEAL EXHIBITS AND PROPOSED ORDER; REQUEST FOR JUDICIAL NOTICE, ASSOCIATED EXHIBITS AND PROPOSED ORDER** to be personally served by **ACE ATTORNEY SERVICE** by placing a true copy thereof for delivery to the following person(s) at the address(es) as follows:

Sheriff Chad Bianco
Riverside County Sheriff's Department
4095 Lemon Street
Riverside, CA 92501

Clerk of the Superior Court
Riverside County Superior Court
Hall of Justice
4100 Main Street
Riverside, CA 92501

Robert Tyler (SBN 179572)
Tyler Law, LLP
25026 Las Brisas Road
Murrieta, CA 92562
Tel: (951) 600-2733
Counsel for Respondents
Chad Bianco and Riverside County Sheriff's
Department

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on March 23, 2026, at Plumas Lake, California.

Jessica Munoz
Declarant

Jessica Munoz
Signature

1 ROB BONTA (SBN 202668)
Attorney General of California
2 THOMAS S. PATTERSON (SBN 202890)
Senior Assistant Attorney General
3 PAUL STEIN (SBN 184956)
Supervising Deputy Attorney General
4 LINDSAY M. BAILEY (SBN 285047)
MALCOLM A. BRUDIGAM (SBN 323707)
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Attorneys for Petitioner California
8 Attorney General Rob Bonta

9 **IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

10 **FOURTH APPELLATE DISTRICT, DIVISION TWO**

11 **ATTORNEY GENERAL OF THE**
12 **STATE OF CALIFORNIA, ROB**
13 **BONTA,**

14 Plaintiff(s),

15 vs.

16 **CHAD BIANCO, RIVERSIDE**
17 **COUNTY SHERIFF, THE**
18 **RIVERSIDE COUNTY SHERIFF'S**
19 **DEPARTMENT, AND SUPERIOR**
20 **COURT OF CALIFORNIA, COUNTY**
21 **OF RIVERSIDE,**

22 Defendant(s),

CASE NO: **N/A**

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STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

I am employed by Ace Attorney Service, Inc. in the County of Riverside, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is: 800 S. Figueroa Street, Suite 900, Los Angeles, CA 90017.

On **March 23, 2026**, I personally served the document(s) as described below:
SEE ATTACHED LIST OF DOCUMENTS

on the interested parties in this action by delivering a copy of said document(s) to the party listed below:

Riverside County Sheriff Chad Bianco;
Riverside County Sheriff's Office
4095 Lemon Street
Riverside, CA 92501

(BY PERSONAL DELIVERY) I delivered such documents by hand to the offices of the addressee.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 23, 2026 at Riverside C.A

Justin McIntosh

PRINT NAME



(SIGNATURE)

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE
CASE #: N/A
CASE NAME: ATTORNEY GENERAL OF THE STATE OF CALIFORNIA, ROB BONTA VS CHAD BIANCO, RIVERSIDE COUNTY SHERIFF, et al.

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MOTION FOR JUDICIAL NOTICE; MEMORANDUM OF POINTS AND AUTHORITIES;
DECLARATION OF ANNE P. BELLOWS; [PROPOSED] ORDER

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on the interested parties in this action by delivering a copy of said document(s) to the party listed below:

TYLER LAW, LLP
25026 Las Brisas Road
Murrieta, CA 92562

(BY PERSONAL DELIVERY) I delivered such documents by hand to the offices of the addressee.

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on March 23, 2026 at Riverside, CA.

Justin McIntosh _____
PRINT NAME (SIGNATURE)

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4100 Main Street
Riverside, CA 92501

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