No.

In the Supreme Court of the State of California

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.

Fourth Appellate District, Case No. E088096

PETITION FOR REVIEW AND EMERGENCY STAY OR EQUIVALENT INTERIM RELIEF REQUESTED

PUBLIC—REDACTS MATERIAL FROM SEALED RECORD

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ISSUES PRESENTED FOR REVIEW

1. Whether the Riverside County Sheriff is violating the Constitution and the Government Code by refusing to follow supervisory directives issued by the Attorney General.

2. Whether appellate mandamus relief is warranted to address the Sheriff's extraordinary and ongoing constitutional and statutory violation.

INTRODUCTION

This case presents an unprecedented constitutional emergency that demands swift action from this Court. Article V of our State's charter provides the Attorney General with authority to exercise "direct supervision" over "every . . . sheriff . . . in all matters pertaining" to their duties. (Cal. Const., art. V, § 13.) That constitutional power is reinforced by the Attorney General's statutory authority to "direct the activities of any sheriff relative to the investigation or detection of crime." (Gov. Code, § 12560.) But in the last month, Riverside County Sheriff Chad Bianco and the Riverside County Sheriff's Office have claimed the authority to disregard the Attorney General's directives, fundamentally altering the constitutional allocation of power between the State's "chief law officer" and its subordinate law enforcement officers. (Cal. Const., art. V, § 13; see also Gov. Code, § 12560.) In the Sheriff's view, the power to direct and take charge of investigations now belongs exclusively to him—and not the Attorney General.

That view is incompatible with the State's constitutional and statutory design. In any context, a dispute involving a sheriff's

claimed authority to arrogate to himself the constitutional powers of the Attorney General would warrant this Court's review. The importance of the dispute is only magnified in this case because the Sheriff rejects the Attorney General's supervision to pursue an unprecedented investigation into purported election fraud. Sheriff Bianco has seized hundreds of thousands of ballots, which, by law, should have never been "taken from the custody of the elections official." (Elec. Code, § 15551.) The integrity of those ballots is now at risk. And because the Sheriff's misguided investigation is predicated on baseless claims of election irregularities, the Sheriff's actions threaten to jeopardize public confidence in the upcoming primary and general elections, not just in Riverside County but around the State.

Those issues of great public importance should have been addressed in the first instance by the Court of Appeal. The Sheriff's blatant disregard for the constitutional division of authority between him and the Attorney General is causing serious, ongoing harm that requires immediate redress. Earlier this week, however, the court summarily denied the Attorney General's petition for a writ of mandate seeking to enforce his directives to Sheriff Bianco. The court reasoned that the Attorney General had "failed to demonstrate he lacks an adequate remedy in the superior court." (*Bonta v. Bianco* (Mar. 24, 2026, E088096) (Order).) Although the Attorney General is now seeking relief before the superior court on a parallel track, the decision not to do so in the first instance

should not have been an obstacle to appellate intervention under the extraordinary circumstances here. It is far from unprecedented for appellate tribunals to grant mandamus in the first instance in cases of public importance where there is an urgent need for relief.

In light of the importance of the issues presented in this dispute, plenary review before this Court is warranted. But, at a minimum, the Court should grant and transfer the petition with instructions to issue an order to show cause and proceed to the merits. (See Eisenberg et al., Cal. Practice Guide: Civil Appeals & Writs (The Rutter Group 2025) ¶ 13:125.1, pp. 32-33.) That would ensure prompt resolution—and signal to the Court of Appeal that the issues presented deserve the court's careful consideration.

To prevent further abuses and disregard for the Constitution in the interim, this Court should also immediately issue an order staying the Sheriff's investigation. (See Code Civ. Proc., § 923 [providing expansive authority to "make any order appropriate to preserve the status quo"].) Although Sheriff Bianco has now belatedly claimed that he will comply with the Attorney General's directives, he has previously offered empty pledges—and then reneged. A judicial order staying the investigation remains critically important. And if the Court issues a grant-and-transfer order, it should direct the Court of Appeal to keep that stay in place until its resolution of the order to show cause (see *ibid.*; Cal. Rules of Court, rule 8.528(d)), which would maintain the division of power that our Constitution plainly prescribes.

STATEMENT OF THE CASE

A. Factual Background

On November 4, 2025, California held a special election for voters to consider Proposition 50, a ballot initiative to adopt a new congressional district map. (See Secretary of State, Statement of Vote, November 4, 2025, Statewide Special Election (2025) p. 6 <https://www.sos.ca.gov/elections/prior-elections/statewide-election-results/statewide-special-nov-4-2025/statement-vote>.) Voters passed the measure overwhelmingly, with 64.4% voting "Yes" statewide. (*Ibid.*) This case involves the election results from Riverside County, where a total of 657,322 votes were counted and more than 56% of voters supported Proposition 50. (*Id.* at pp. 3, 11.) The Riverside results were uncontested: The Elections Code allows voters to contest the results of an election if they believe "[t]hat there was an error in the vote-counting programs or summation of ballot counts," but no such contest was initiated in Riverside County with respect to the 2025 special election. (Elec. Code, § 16100, subd. (g); see also *id.* §§ 15600-15649, 16200-16467 [procedures for election recounts and contests].)

Although no formal contest was initiated through the ordinary, well-established process set forth in the Elections Code, a community group calling itself the "Riverside Election Integrity Team" (REIT) purported to conduct its own "audit" of the election results based on documents it obtained from the Riverside County Registrar of Voters through a Public Records Act request. (See Regular Meeting ("ROV Presentation"), Riverside County Board of Supervisors (Feb. 10 2026),

<https://riversidecountyca.iqm2.com/Citizens/SplitView.aspx?MeetingID=3355>, at 4:39:50-4:43:00 [testimony of Greg Langworthy]; PA at p. 9.)[1] Relying on its own amateur interpretation of the Registrar's documents, REIT claimed that only 611,426 valid ballots had been cast in Riverside County—45,896 fewer ballots than the number of votes ultimately counted. (*Id.* at 4:41:52.)

On February 10, 2026, after reviewing REIT's "audit," the Registrar of Voters gave a public presentation at a Riverside County Board of Supervisors Meeting debunking REIT's findings, and answered questions from Supervisors. (ROV Presentation, at 3:34:30-4:38:30.) The Registrar explained in great detail that the supposed discrepancy was due to a misunderstanding of the different kinds of counts presented in the Registrar's documents and REIT's reliance on preliminary, incomplete, or estimated data. (*Ibid.*)

As background, the Registrar explained that two separate information systems are used in the ballot-tabulation process. The first is a tracking database, which stores voter registration records and maintains a participation log for all registered voters. Riverside's tracking database is its "Election Information Management System." (ROV Presentation, at 3:41:55-3:44:07.) The second system is a counting system that scans and counts all eligible ballots received by the Registrar of Voters. (*Id.* at 3:44:10-3:46:20.) Riverside's counting system is the "Liberty Vote

[1] All citations to "PA" are to the Petitioner's Appendix of Exhibits filed with the writ petition in the Court of Appeals.

System."[2] (*Ibid.*) When a ballot is received—whether by mail, at a drop-off location, or in person on election day—a Registrar of Voters employee confirms that the ballot is eligible to be counted, for example, by verifying the voter's signature. (*Id.* at 3:41:55-3:44:07.) Each verified ballot is marked as received and associated with the appropriate voter's record in the tracking database. (*Id.* at 3:43:00-3:44:20.) Once logged in the tracking database, ballots are sent to be removed from their envelopes, scanned, and tabulated by the counting system—an entirely separate process. (*Id.* at 3:45:00-3:46:30.)

According to the Registrar's records, 657,219 ballots were verified and logged in the tracking database—only 103 fewer than the number of ballots tabulated by the counting system, a variance of only 0.016%. (ROV Presentation, at 3:59:25-4:01:50.) REIT perceived a much higher discrepancy—45,896 votes rather than 103—only because it relied on raw, interim, and imprecise data to estimate the number of votes cast, instead of relying on the number of cast ballots actually logged into the tracking system after verification. For example, records show that REIT relied on handwritten forms that included hand counts or estimates of ballots received (but not yet verified). REIT's data also excluded certain forms of ballot collection, including ballots

[2] Riverside is one of more than three dozen California counties that uses Liberty Vote, a system that has been certified and approved for use by the Secretary of State pursuant to Elections Code section 19202. (Cal. Secretary of State, Liberty Vote Certification Information (2026), <https://www.sos.ca.gov/elections/ovsta/voting-technology-vendors/liberty-vote>.)

from confidential voters, conditionally-registered voters, and provisional voters. (See *id.* at 3:39:25-3:53:50; *id.* at 3:47:20 [REIT "audit" showed a variance because "there were ballots that were not included"].)

Based on REIT's erroneous "finding" of a large discrepancy between the number of ballots cast versus counted, the Sheriff obtained several criminal search warrants to seize *all* ballots from the November 2025 special election, as well as other election administration materials. (See Decl. of Chad Bianco in Support of Prelim. Opp., *Cervantes v. Bianco* (Mar. 26, 2026, S295866), at p. 2; PA at pp. 4-19.)[3] The Sheriff's Office secured the first warrant on February 9, 2026, [redacted] The second warrant was obtained on February 23, 2026, nearly two weeks *after* the Registrar had debunked REIT's discrepancy finding. (PA at pp. 12-13.)

After obtaining the two warrants, the Sheriff coordinated with the Registrar and arranged to execute the warrants and obtain the first tranche of documents on Friday, February 27, 2026, at 10:00 am. The Attorney General's office first learned about the search warrants on Tuesday, February 24, 2026—only three days before the Sheriff's planned seizure. The next day,

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[3] See also Hosseini, *Judge Who OK'd Ballot Seizure Spoke Glowingly About Republican Sheriff Leading Investigation*, S.F. Chronicle (Mar. 24, 2026), <https://www.sfchronicle.com/california/article/chad-bianco-ballot-seizure-judge-22094329.php>.

Wednesday, February 25, the Attorney General (acting through Division of Law Enforcement Chief Stephen Woolery) asked Sheriff Bianco to provide copies of the probable cause affidavits submitted in connection with the warrant requests. (See PA at p. 21.) Sheriff Bianco emailed the affidavits to Chief Woolery the following day, February 26.

Upon reviewing the warrants and affidavits, the Attorney General concluded that the affidavits did not identify any specific felony offense the Sheriff had probable cause to believe had been committed or that a particular person had committed a felony, as required by Penal Code sections 1524, subdivision (a)(4), and 1525. [redacted] Concerned about the deficiencies in the warrants, the Attorney General—acting through Chief Woolery—called Sheriff Bianco later that same day (February 26, 2026) and directed that he pause execution until March 6, 2026, to allow time to examine the basis for the warrants and underlying investigation. (See PA at p. 21.)

The Sheriff did not comply. Instead, he accelerated his timeline and seized 1,000 boxes of ballots later the same day, mere hours after he spoke with Chief Woolery. (See PA at p. 21.)

After learning that the warrants had been executed earlier than planned and despite his request for a brief pause, the Attorney General sent a letter via email to Sheriff Bianco the night of February 26, 2026. The letter directed the Sheriff to:

(1) pause further action in the investigation until the Attorney General's Office had the opportunity to review the matter, and (2) preserve all ballots, documents, or other materials that had been seized. The letter expressly invoked the Attorney General's supervisory authority under article V, section 13 of the California Constitution and Government Code section 12560. (*Ibid.*) 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 offices might work together to address the allegations underlying the investigation. (*Ibid.*)

The Sheriff did not confirm his compliance by the requested deadline. Nor did he respond to several phone calls placed by the Attorney General's office between February 28 and March 2. (See PA at p. 24.) Later in the week, on March 4, 2026, the Attorney General's office learned that Respondents planned to proceed with their investigation—notwithstanding the Attorney General's direct order to pause. The Attorney General learned that respondents planned to start on March 5 to count the ballots they had seized, and that they planned to assign 12 employees working four days a week, five to seven hours each day, until they finished. (PA at p. 24.) The Riverside County Counsel's office, which represents the Registrar of Voters, confirmed these reports.

Accordingly, on March 4, 2026, the Attorney General sent a second letter via email to Sheriff Bianco again directing him to

stand down all further investigative activities. (PA at pp. 24-25.) The letter instructed the Sheriff to notify the Attorney General's office of his compliance with all directives by 10:00 a.m. on Thursday, March 5, 2026. (*Id.* at p. 25.) The letter warned Sheriff Bianco that if he failed to confirm his compliance, the Attorney General was prepared to litigate the issue in court. (*Ibid.*)

As with the first letter, the Sheriff again did not confirm his compliance by the requested deadline. Instead, he initiated the planned "recount" of ballots, according to information confirmed by the Registrar of Voters. (See *Election Fraud Investigation Press Conference* ("Press Conference"), Riverside County Sheriff's Off. (Mar. 20, 2026), <https://youtu.be/Lo6ir8fEULI> at 6:45; PA at p. 46.) Within a few hours, however, the Sheriff abruptly changed course. The Attorney General's office received an email from Sheriff Bianco at 1:30 p.m. on March 5, 2026, confirming that he had received the March 4 letter. (PA at p. 27.) Sheriff Bianco further stated, "I can also confirm we are complying with the directive of the letter pending further communication with your office." (*Ibid.*)

On March 6, 2026, the Attorney General sent a third 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. (PA at pp. 29-30.) Sheriff Bianco did not provide any documents by the requested deadline, nor did he acknowledge the directive to do so.

Attempting once more to elicit compliance without litigation, a senior attorney with the Attorney General's office contacted Sheriff Bianco and eventually spoke with him on March 13, 2026. (See PA at pp. 32-33.) Sheriff Bianco stated that he had not reviewed the March 6 email or letter, but that he would comply and send the requested material. (*Ibid.*) The senior attorney again emailed Sheriff Bianco the letter and requested documents by March 18, 2026. (*Ibid.*)

At 9:54 p.m. on Wednesday, March 18, 2026, Sheriff Bianco's private counsel provided the Attorney General with copies of the Attorney General's own February 26, March 4, and March 6 letters, and a "standard operating procedure" for recounting the number of ballots that were included in the final certified results in the November 2025 Special Election. (PA at p. 36.) The Sheriff did not include any part of the case file setting out the basis for his investigation. (See *ibid.*) The Sheriff's counsel represented that Respondents were "working on" gathering the remaining documents and assured they would be delivered "expeditiously." (*Ibid.*)

The next day (Thursday, March 19, 2026), the Sheriff obtained a third search warrant from the Superior Court. Neither the Sheriff nor his attorney alerted the Attorney General of the development. (PA at pp. 38-46.) As with the earlier warrants, the affidavit submitted in support of the March 19, 2026 warrant fails to identify any specific felony or any person believed to have committed a criminal offense. (*Id.* at pp. 42-46; see Pen. Code, §§ 1524, subd. (a)(4), 1525.)

The following day, Friday, 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. (See Press Conference, *supra*.) Sheriff Bianco stated that his office was "currently working with the court in determining a special master and we will coordinate with them for the count." (*Id.* at 6:34.)

At the press conference, Sheriff Bianco cast his investigation in civil or administrative rather than criminal 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*, at 4:00, 5:53, 6:05.) These statements tended to confirm that the Sheriff had uncovered no evidence of a felony crime or probable cause to believe such a crime was committed. Sheriff Bianco also accused the Attorney General of "interfer[ing]" and stated that "this investigation will continue despite AG Bonta's attempts to stop it." (*Id.* at 0:51, 3:25.)

On March 24, 2026, Sheriff Bianco seized 426 additional boxes of ballot materials from the Registrar of Voters. These additional 426 boxes completed the seizure of all the materials listed in the three search warrants. To date, the Sheriff has not provided the Attorney General with a complete set of the court

records associated with the warrants, which are likely sealed. The Sheriff also has not provided the complete case file and related documents as requested. It is unclear whether a special master has been appointed or whether a "recount" has started.

B. Procedural History

On March 23, 2026, the day before the final seizure, the Attorney General filed a petition for a writ of mandate in the Fourth District Court of Appeal, Division Two. The petition asked the court to order the Sheriff to comply with the Attorney General's directives. The petition explained that the matter presents a purely legal question of constitutional and statutory authority that "[is] of great public importance and should be resolved promptly." (*Cal. Labor Federation v. Occupational Safety & Health Stds. Bd.* (1990) 221 Cal.App.3d 1547, 1555.) The Attorney General's petition also sought writ review of the warrants issued by the superior court. (Pet., *Bonta v. Bianco* (Mar. 23, 2026, E088096), at pp. 32-33.) The Court of Appeal denied the writ on March 24, 2026, reasoning that the Attorney General "failed to demonstrate he lacks an adequate remedy in the superior court." (Order, *supra*.)

To ensure timely relief, the Attorney General is now pursuing relief in two parallel proceedings. First, this petition for review seeks plenary review of the Court of Appeal's summary denial, or, in the alternative, an order granting and transferring the petition for merits proceedings in the Court of Appeal. As part of that relief, and to maintain the status quo, the Attorney General also seeks an immediate stay of the execution of the

warrants.[4] Second, although the Attorney General continues to believe that appellate-level writ relief is warranted, he has also sought relief from the Riverside County Superior Court. On March 26, 2026, he filed a petition for a writ of mandamus and an ex parte application for expedited briefing. (*Bonta v. Bianco*, No. CVRI 2601580 (March 26, 2026).) The superior court scheduled a telephonic hearing for March 27, 2026, to establish a briefing schedule. Although an attorney for the Attorney General dialed in for the hearing, the hearing was pulled from the calendar. The notices of hearing issued by the superior court reflected a meeting ID number for a different courtroom; the Attorney General resolved the scheduling issue and secured a hearing to set a briefing schedule on Monday, March 30, 2026 at 8:30 a.m.

[4] Before the Court of Appeal, the Attorney General sought writ relief to enforce his supervisory authority over the Sheriff and to obtain an order quashing the warrants at issue. The Attorney General limits the petition for review to the issue of supervisory authority. (See *post*, pp. 21-30.)

REASONS FOR GRANTING REVIEW

I. THE UNPRECEDENTED CONSTITUTIONAL EMERGENCY UNFOLDING IN RIVERSIDE COUNTY DEMANDS ACTION FROM THIS COURT

A. The Sheriff is ignoring supervisory orders lawfully issued by the Attorney General

Sheriff Bianco has a mandatory duty to follow the Attorney General's directives. This duty flows directly from the California Constitution and implementing statutes. The Constitution establishes the Attorney General as "the chief law officer of the State" and gives him "*direct supervision* over every . . . sheriff . . . *in all matters* pertaining to the duties of their respective offices[.]" (Cal. Const., art. V, § 13, emphasis added.)

This provision was backed by Earl Warren when he was District Attorney of Alameda County. He explained:

> 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 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.)

Section 12560 of the Government Code reinforces the Attorney General's supervisory authority:

> 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.)

There is very little case law addressing the scope of the Attorney General's supervisory authority over sheriffs and similar officials. That may be explained by the fact that the Sheriff's open defiance of the Attorney General's authority is, to the Attorney General's knowledge, unprecedented since the Constitution vested him with supervisory powers. The constitutional and statutory commands are also textually clear. The cases that have addressed the Attorney General's "direct supervision" authority primarily arise in the context of evaluating whether sheriffs or district attorneys act as state or county officers for purposes of 42 U.S.C. § 1983—not in the context of direct challenges to the Attorney General's authority.

Still, those decisions do not question the proposition that the Attorney General may assert supervisory authority over sheriffs. On the contrary, the holdings of those decisions—that sheriffs may be considered state, not county, officers for the purposes of sovereign immunity under federal law—depend on the Attorney General's constitutional and statutory supervision. In *Venegas v. County of Los Angeles* (2004) 32 Cal.4th 820, for example, this Court relied in part on the fact that "Section 12560 gives the Attorney General 'direct supervision' of all sheriffs" (*id.* at p. 834)

to conclude that "sheriffs act as state officers while performing state law enforcement duties" (*id.* at p. 839). (See also *id.* at p. 832 [placing "special emphasis" on article V, section 13's delegation of supervisory authority]; *Pitts v. County of Kern* (1998) 17 Cal.4th 340, 357-362 [relying in part on Attorney General's "direct supervision" to conclude that district attorneys act as state officials when prosecuting state crimes].) These and similar cases treat as incontestable the Attorney General's supervisory authority over sheriffs.

Sheriff Bianco cannot plausibly dispute the Attorney General's authority over his investigations. The Constitution's only textual limit is to "matters pertaining to the [sheriff's] duties." (Cal. Const., art. V, § 13, emphasis added.) There is no question that the activities at issue in this case "pertain[]" to the Sheriff's official duties.

The only statutory qualification on the Attorney General's power to direct a sheriff's criminal enforcement activities is that he must "deem[] it necessary in the public interest." (Gov. Code, § 12560.) This language grants the Attorney General broad discretion to determine when the public interest allows him to direct the activities of a sheriff—a determination entitled, at a minimum, to great deference. (Cf. *People v. Honig* (1996) 48 Cal.App.4th 289, 354 [observing that another clause in article V, section 13, which authorizes the Attorney General to decide to prosecute violations of state law, "confers broad discretion upon the Attorney General to determine when to step in"].) Under that deferential standard, "the Attorney General's decision must be

upheld unless no reasonable person could reach the same conclusion." (*Id.* at p. 355.)

The Attorney General does not lightly exercise his direct supervisory authority. Nor does he contend that this power is unlimited or that sheriffs are merely his agents. Sheriffs are constitutional officers, elected by the citizens of their counties and vested with responsibility to enforce the law in their jurisdictions. (See Cal. Const., art. XI, §§ 1, subd. (b) & 4 subd. (c).) Nonetheless, the Attorney General retains the authority to exercise his constitutional and statutory supervisory powers when he determines that it is necessary in the public interest.

Here, Attorney General Bonta reasonably concluded that directing the Sheriff's activities is in the public interest for several reasons. First, the Sheriff's activities raise serious concerns about the integrity of the ballots. (See generally Pet., *Cervantes v. Bianco* ("*Cervantes* Pet.") (Mar. 25, 2026, S295866), at pp. 35-44.) State law generally requires the Registrar of Voters to retain ballots "unopened and unaltered" for six months following an election. (Elec. Code, § 17302, subd. (b).) Even in the event of a formal contest or criminal prosecution (neither of which exists here), the Elections Code provides that "[i]n no event shall the package [containing the voted ballots] or its contents be taken from the custody of the elections official." (Elec. Code, § 15551.) Additionally, among other information, mail ballot envelopes bear voter signatures, personal information that is strictly protected by statute and generally "shall not be

disclosed." (Elec. Code, § 2194, subds. (b)(2), (c).) The Sheriff has evidently contravened those laws by seizing nearly *all* voting-related documents from the November 5, 2025 special elections—including [redacted]

Second, the deficiencies in the warrants obtained by the Sheriff raise serious additional concerns. The affidavits filed in support of the warrants do not identify any particular felony or any person who the Sheriff has probable cause to believe committed a crime. (See PA at pp. 8-10, 16-19.) The Sheriff also omitted material facts—[redacted]—from the February 23 warrant affidavit. (See *id.* at pp. 16-19.) Both of these failures violate applicable legal requirements and raise serious concerns about misuse of the criminal process. (See Pen. Code, §§ 1524, subd. (a)(4), 1525; *Morris v. Superior Court* (1976) 57 Cal.App.3d 521, 527-528.)

Finally, in light of the baseless foundations of the Sheriff's investigation, allowing the investigation to continue could seriously undermine public confidence in state elections. As the state's chief law officer, the Attorney General plainly has a compelling interest in maintaining public confidence in elections. (See *Boydston v. Weber* (2023) 90 Cal.App.5th 606, 625; *Cervantes* Pet., *supra*, at pp. 28-33 [discussing strong public interest in integrity of electoral processes and the risk posed by the Sheriff's subversion of normal election procedures].)

Given these weighty concerns, the Attorney General reasonably determined that it is in the public interest to directly supervise the Sheriff's investigation. Exercising his constitutional authority, the Attorney General requested that Sheriff Bianco share the affidavits that purportedly supported the probable cause determination for the seizure warrants and directed the Sheriff to pause further action in the investigation to facilitate the Attorney General's review. The Attorney General also ordered the Sheriff to preserve all seized materials. Those modest directives—sharing information and pausing further action pending review—are well within the Attorney General's power to "supervis[e]" and "direct" sheriffs. (Gov. Code, § 12560.)

The Sheriff has nonetheless repeatedly disregarded, defied, or failed to comply with the Attorney General's directives. (See *ante*, at pp. 13-19.) Indeed, the actions taken by the Sheriff after the Attorney General's initial directives have only reinforced the Attorney General's assessment that the public interest requires him to step in: After the Attorney General informed the Sheriff of the deficiencies in the first two warrants, the Sheriff sought a *third* deficient warrant, compounding the abuse of the criminal process. The Sheriff also held a public press conference raising concerns about the 2025 Special Election in Riverside County, despite identifying no basis to suspect that a crime has occurred. During that press conference, the Sheriff trumpeted his defiance of the Attorney General, spread misinformation about the 2025 election, and promised to continue his investigation. (*Ante*, p. 18; see Hosseini, *A California Sheriff Seized 650,000 Ballots.*

Election Experts Say It's A Big Deal, S.F. Chronicle (Mar. 22, 2026) <https://www.sfchronicle.com/ california/article/chad-bianco-ballots-22090730.php>.)

B. Appellate mandamus relief is warranted in these extraordinary circumstances

Mandamus relief from an appellate court is warranted to address issues "'of great public importance,'" especially where there is a need for those issues to "'be resolved promptly.'" (*Mooney v. Pickett* (1971) 4 Cal.3d 669, 675; see also, e.g., *Vandermost v. Bowen* (2012) 53 Cal.4th 421, 453; *People ex rel. Becerra v. Superior Ct.* (2018) 29 Cal.App.5th 486, 494; *California Lab. Federation v. OSHA* (1990) 221 Cal.App.3d 1547, 1555.) That is the case here. Sheriff Bianco's defiance of the Attorney General's directives not only represents an unprecedented departure from our constitutional structure, but also imperils public trust in the integrity of our State's electoral system. Every day that the Sheriff's illegal and baseless probe continues, there is a growing possibility that the public will call into question the fairness of elections based on misinformation spread by the Sheriff and the perception that his investigation is legitimate. And every day that the Sheriff continues to flout the Attorney General's orders, greater doubt will be sown about the integrity of our constitutional structure. Indeed, the Sheriff's refusal to follow lawful orders of the Attorney General is not fundamentally different from a refusal to follow lawful court orders. Both flout our constitutional design. (See Corasaniti, *Sheriff in California Seizes More Ballots, Ignoring State Attorney General*, N.Y. Times

(Mar. 26, 2026) <https://www.nytimes.com/2026/03/26/us/politics/california-sheriff-ballots-attorney-general.html>.)

As a general matter, three guideposts assist courts in evaluating whether mandamus relief is warranted. Although they are not rigid requirements (see, e.g., *Clean Air Constituency v. California State Air Resources Bd.* (1974) 11 Cal.3d 801, 808 [noting jurisdiction to grant mandamus regardless of the "existence of an alternative appellate remedy"]), each consideration supports mandamus here. First, the Attorney General plainly has a beneficial interest. (See generally *People ex rel. Dept. of Conservation v. El Dorado County* (2005) 36 Cal.4th 971, 988-995 [state agencies and officers have beneficial interest in seeking compliance with state laws entrusted to their supervision and enforcement].) Second, the Sheriff has violated a "'clear, present, ministerial duty'"—that is, an "obligation to perform a specific act in a manner prescribed by law whenever a given state of facts exists, without regard to any personal judgment as to the propriety of the act." (*People v. Picklesimer* (2010) 48 Cal.4th 330, 340 [alteration omitted].) As discussed above (*ante*, pp. 21-24), the Constitution and Government Code unambiguously require the Sheriff to comply with the Attorney General's exercise of his supervisory authority. Third, there is no adequate alternative remedy. The extraordinary public interest in, and urgent need for, relief justifies mandamus at the appellate level in the first instance. (See, e.g., *Acton v. Henderson* (1957) 150 Cal.App.2d 1, 7-8; cf. *Clean Air Constituency, supra*, 11 Cal.3d at p. 808.)

The Court of Appeal summarily denied relief on the ground that the Attorney General failed to proceed "in the superior court" in the first instance. (Order, *supra*, at p. 1.) Although the Attorney General is now seeking relief before the superior court out of an abundance of caution (*ante*, p. 20), the decision not to do so in the first instance should not have been an obstacle to appellate intervention under the extraordinary circumstances here. It is hardly uncommon for writ actions to begin at the appellate level. For example, in *Muñoz v. Regents of University of California* (2025) 113 Cal.App.5th 466, 472-473, individual petitioners brought a challenge to the legality of policies adopted by the Regents of the University of California, seeking relief from the Court of Appeal in the first instance. After the court summarily denied the petition, this Court granted and transferred the matter with instructions to issue an order to show cause. (*Ibid.*; see *Muñoz v. Regents of University of California* (S287474, petn. granted Dec. 18, 2024).) In doing so, the Court necessarily concluded that writ review was appropriate before the Court of Appeal (see Eisenberg, Cal. Prac. Guide: Civil Appeals & Writs (The Rutter Group 2025) ¶ 13:125.1, pp. 32-33), even though petitioners theoretically could have filed in superior court.

In many other cases, appellate courts have proceeded by writ in the first instance. (See, e.g., *Legislature v. Padilla* (2020) 9 Cal.5th 867, 874-875 [exercising original jurisdiction to resolve election-related dispute]; *California Redevelopment Assn. v. Matosantos* (2011) 53 Cal.4th 231, 253 [considering statute that would require dissolution of the State's redevelopment agencies];

Vandermost, supra, 53 Cal.4th at p. 453 [noting Court "frequently" exercises original jurisdiction in cases involving "significant legal issues affecting the electoral process"]; *Clean Air Constituency*, *supra*, 11 Cal.3d at pp. 808-809 [reviewing a proposed delay of pollution-control requirements].)

The Court of Appeal did not say or cite anything to the contrary. Of the two decisions cited to support the Court's order, the Court of Appeal in the first case opted to review a trial court's order through a writ proceeding in light of the "issue of first impression of general importance to the legal community" presented in the petition. (*Los Angeles Gay & Lesbian Center v. Superior Court* (2011) 194 Cal.App.4th 288, 299-300.) The second decision did not even address the standards governing writ relief. Rather, in reviewing the sufficiency of a complaint filed in superior court, the Court of Appeal observed only that the Attorney General, "'as the chief law officer of the state, has broad powers . . . to file any civil action or proceeding directly involving the rights and interests of the state.'" (*People ex rel. Harris v. Rizzo* (2013) 214 Cal.App.4th 921, 936-937.) Of course, the Attorney General seeks to exercise that authority through a writ proceeding for "'the preservation of order, and the protection of public rights and interests.'" (*Ibid.*)

In light of the importance of the issues presented here, plenary review before this Court is warranted. But at a minimum, the Court should grant and transfer the petition with instructions to issue an order to show cause and proceed to the merits. (See Eisenberg, Cal. Prac. Guide: Civil Appeals & Writs

(The Rutter Group 2025) ¶ 13:125.1, pp. 32-33; see also *Muñoz v. Regents of the University of California* (S287474, petn. granted Dec. 18, 2024).) That would ensure prompt resolution—and signal to the Court of Appeal that the issues presented deserve the court's careful consideration.

II. THIS COURT SHOULD GRANT AN IMMEDIATE STAY OF THE SHERIFF'S ONGOING INVESTIGATION

This Court has broad authority "to stay proceedings" or "make any order appropriate to preserve the status quo." (Code Civ. Proc., § 923; see Cal. Rules of Court, rule 8.486(a)(7).) That expansive grant of authority necessarily encompasses power to issue, not just a "a stay" of proceedings, but also an order directed to a party that is "injunctive in effect." (*People ex rel. San Francisco Bay Conservation & Dev. Com. v. Town of Emeryville* (1968) 69 Cal.2d 533, 537 (*Emeryville*); see *id.* at pp. 537-538.) In *Emeryville*, for example, this Court "issued an order enjoining [certain] fill operations by the town pending final determination" of the proceeding. (*Id.* at p. 536; see *id.* at p. 538 [authorizing "stay order" that "is injunctive in nature"]; 6 Witkin, Cal. Proc. 6th Prov Rem § 386 [discussing authority of appellate courts to issue "appellate injunction[s]" pending appeal].)

Similar relief is urgently needed here to preserve the status quo and prevent Sheriff Bianco from further violation of the Elections Code and noncompliance with the Attorney General's orders—laws and orders designed to safeguard public trust in elections. In response to a separate proceeding challenging his actions (the *Cervantes* petition, S295866), the Sheriff has now represented that he has "complied with the Attorney General's

demand that the ballots not be counted." (See Bianco Decl., *supra*, at p. 3.) But Sheriff Bianco has repeatedly made and broken similar promises to comply with the Attorney General's directives. (*Ante*, pp. 13-19.) And he has recently declared that, absent a court order directing him otherwise, his "investigation will continue, despite AG Bonta's attempts to stop it." (Press Conference, *supra*, at 3:25.) Moreover, although the Sheriff claims that he "has preserved the evidence" (Bianco Decl., *supra*, at p. 3), his seizure of the ballots alone violates state law requiring the Registrar of Voters to maintain custody of them. The Sheriff's continued, unconstitutional defiance of lawful directives and state law undermines the integrity of our electoral system and our constitutional system of government. (See generally *Daly v. San Bernardino County Bd. of Supervisors* (2021) 11 Cal.5th 1030, 1053-1054 [discussing equitable standard governing requests for stays and other relief under section 923].)

If the Court grants a stay of Sheriff Bianco's investigation, it should specifically direct that the Sheriff immediately comply with the Attorney General's directives, allow the Attorney General to assume control of the investigation, and cease any further efforts to seize, open, or count ballots cast in the November 2025 Special Election pending final resolution of this case or further order of this Court. And if the Court opts to issue a grant-and-transfer order, rather than granting plenary review of the issues presented by this petition, it should direct the Court of Appeal to leave the stay of Sheriff Bianco's investigation in place pending resolution of the order to show cause. (See Cal.

Rules of Court, rule 8.528(d) [when transferring "the cause to a Court of Appeal," this Court may issue "instructions to conduct such proceedings as [it] orders"].)

CONCLUSION

This Court should immediately stay the Sheriff's ongoing investigation pending consideration of this petition, and should either grant plenary review or grant and transfer the petition with instructions to the Court of Appeal to issue an order to show cause and proceed to the merits. If the Court issues a grant-and-transfer order, it should direct the Court of Appeal to leave the stay in place pending resolution of the order to show cause.

Respectfully submitted,

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March 27, 2026

CERTIFICATE OF COMPLIANCE

I certify that the attached Petition for Review uses a 13-point Century Schoolbook font and contains 6,533 words.

ROB BONTA
Attorney General of California

s/ Helen H. Hong

HELEN H. HONG
Principal Deputy Solicitor General
Attorneys for Petitioner

March 27, 2026

ATTACHMENT

COURT OF APPEAL -- STATE OF CALIFORNIA
FOURTH DISTRICT
DIVISION TWO

ORDER

ATTORNEY GENERAL OF THE STATE OF CALIFORNIA,
Petitioner,
v.
THE SUPERIOR COURT OF RIVERSIDE COUNTY,
Respondent;
CHAD BIANCO, RIVERSIDE COUNTY SHERIFF et al.,
Real Parties in Interest.

E088096

The County of Riverside

THE COURT

We have reviewed the petition for writ of mandate with exhibits, as well as petitioner's letter, filed March 24, 2026, seeking immediate action. The petition for writ of mandate and request for immediate stay are DENIED. Petitioner has failed to demonstrate he lacks an adequate remedy in the superior court. (*Los Angeles Gay & Lesbian Center v. Superior Court* (2011) 194 Cal.App.4th 288, 299-300; See *People ex rel. Harris v. Rizzo* (2013) 214 Cal.App.4th 921, 936-937.) The request for judicial notice is DENIED.

MILLER
Acting P. J.

Panel: Miller
McKinster
Raphael

cc: See attached list

MAILING LIST FOR CASE: E088096
Attorney General of the State of California v. The Superior Court; Chad Bianco, Riverside County Sheriff et al.

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DECLARATION OF ELECTRONIC SERVICE AND EMAIL

Case Name: *Attorney General of the State of California Rob Bonta v. Riverside County Sheriff Chad Bianco, et al.*

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 practice at the Office of the Attorney General for collecting and processing electronic and physical correspondence. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically.

On March 27, 2026, I electronically served the following documents

1. Application to File Unredacted Petition for Review Under Seal
2. Redacted Petition for Review (Public—Redacts Material from Sealed Record)
3. Unredacted Petition for Review (MAY NOT BE EXAMINED WITHOUT COURT ORDER—CONTAINS MATERIAL FROM SEALED RECORD)

by transmitting a true copy via this Court's TrueFiling system.

I also I electronically served the aforementioned documents by emailing them to the following individual, counsel for Respondents Sheriff Chad Bianco and Riverside County Sheriff's Office, pursuant to counsel's agreement to accept service for Respondents:

Robert H. Tyler
Tyler Law, LLP
Advocates for Faith & Freedom
E-Mail: rtyler@tylerlawllp.com

Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on March 27, 2026, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 600 West Broadway, San Diego, CA 92101, addressed as

follows:

Court of Appeal
Fourth Appellate District
3389 12th Street
Riverside, CA 92501

Superior Court Clerk
Riverside County
P.O. Box 431
Riverside, CA 92502

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 27, 2026, at San Diego, California.

Helen H. Hong	*s/ Helen H. Hong*
Declarant	Signature