

SUPREME COURT
FILED

Court of Appeal, Fourth Appellate District, Division Two - No. E078582 JUN 29 2022

S274698

Jorge Navarrete Cler

IN THE SUPREME COURT OF CALIFORNIA Deputy

En Banc

FOROUD FOLADPOUR, Plaintiff and Appellant,

v.

CITY OF UPLAND, Defendant and Respondent.

The petition for review is denied.

CANTIL-SAKAUYE

Chief Justice

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

ORDER

FOROUD FOLADPOUR,
Plaintiff and Appellant,
v.
CITY OF UPLAND,
Defendant and Respondent.

E078582

(Super.Ct.No. CIVDS1905297)

The County of San Bernardino

THE COURT

Appellant's petition for rehearing filed April 12, 2022 is DENIED. The denial of a request by a vexatious litigant to file an appeal is final forthwith; therefore, this court no longer has jurisdiction over the matter. An order denying the request for permission to file an appeal or writ pursuant to Code of Civil Procedure section 391.7 do not create a "cause." Therefore, it is equivalent to summary denial of a writ petition. (See e.g., Cal. Rules of Court, rule 8.490(b)(1)(A).) Even if the court had jurisdiction to entertain the petition for rehearing, it would be denied because appellant still has not shown that the appeal has merit and was not filed for purposes of harassment or delay.

RAMIREZ
Presiding Justice

cc: See attached list

MAILING LIST FOR CASE: E078582
Foroud Foladpour v. City of Upland

Superior Court Clerk
San Bernardino County
8303 N. Haven Ave
Rancho Cucamonga, CA 91730

Foroud Foladpour
P.O. Box 5584
Irvine, CA 92616

Katrina Joy Valencia
Carpenter, Rothans & Dumont LLP
500 South Grand Avenue, 19th Floor
Los Angeles, CA 90071

Steven J. Rothans
Carpenter, Rothans & Dumont LLP
500 South Grand Avenue, 19th Floor
Los Angeles, CA 90071

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

ORDER

FOROUD FOLADPOUR,
Plaintiff and Appellant,
v.
CITY OF UPLAND,
Defendant and Respondent.

E078582

(Super.Ct.No. CIVDS1905297)

The County of San Bernardino

THE COURT

Appellant's request filed March 8, 2022, for permission to file an appeal under Code of Civil Procedure section 391.7 is DENIED. Much of the application is unintelligible. (*Berger v. Godden* (1985) 163 Cal.App.3d 1113, 1119.) Moreover, neither the Form VL-110 request of March 8, 2022, nor the four-page attachment address the key requirements set forth in Code of Civil Procedure section 391.7, subdivision (b), for granting a vexatious litigant permission to file an appeal. That is, appellant does not seriously attempt to explain how the newly filed appeal has merit and was not filed for purposes of harassment or delay. (*McColm v. Westwood Park Assn.* (1998) 62 Cal.App.4th 1211, 1217.)

RAMIREZ

Presiding Justice

cc: See attached list

MAILING LIST FOR CASE: E078582
Foroud Foladpour v. City of Upland

Superior Court Clerk
San Bernardino County
8303 N. Haven Ave
Rancho Cucamonga, CA 91730

Foroud Foladpour
P.O. Box 5584
Irvine, CA 92616

Katrina Joy Valencia
Carpenter, Rothans & Dumont LLP
500 South Grand Avenue, 19th Floor
Los Angeles, CA 90071

Steven J. Rothans
Carpenter, Rothans & Dumont LLP
500 South Grand Avenue, 19th Floor
Los Angeles, CA 90071