

SUPREME COURT  
FILED

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

S274698

Jorge Navarrete Cler

Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

**En Banc**

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FOROUD FOLADPOUR, Plaintiff and Appellant,

v.

CITY OF UPLAND, Defendant and Respondent.

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The petition for review is denied.

**CANTIL-SAKAUYE**

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*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

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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.

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RAMIREZ  
Presiding Justice

cc: See attached list

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

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COURT OF APPEAL -- STATE OF CALIFORNIA  
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**ORDER**

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E078582

(Super.Ct.No. CIVDS1905297)

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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

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Presiding Justice

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