Court of Appeal, Fourth Appellate District, Division Three
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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

TAWANA JEAN COOPER, Plaintiff and Appellant, v. OPTUMRX, INC., et al., Defendants and Respondents.	G066428 (Super. Ct. No. 30-2021-01237008) O R D E R

On January 12, 2026, appellant filed a notice of appeal. The notice of appeal states it is challenging an order entered on November 20, 2025, and a judgment entered on December 17, 2025. The order and subsequent judgment confirm an arbitration determination in favor of respondents in this employment dispute. The trial court had previously (in 2023) compelled arbitration of the dispute upon motion by respondents.

Pursuant to an order entered in Los Angeles Superior Court case No. 23NWCV01923, appellant is a vexatious litigant subject to a prefiling order. Appellant is not represented by counsel in this appeal. Appellant is obligated to file a request for permission to file any new litigation, including an appeal. (See Code Civ. Proc., § 391.7.)

Rather than filing a request for permission, appellant filed a response and declaration on January 14, 2026, declining to request permission because "doing so would validate a void order." Appellant claims the vexatious litigant determination in Los Angeles Superior Court is void because the court lacked jurisdiction to enter the order due to purportedly faulty service of the motion. Appellant appealed the vexatious litigant and prefiling order to the Second Appellate District in case No. B348357.

Any attempt to vacate the vexatious litigant prefiling order must occur in the court in which the order was entered. (Code Civ. Proc., § 391.8, subd. (a).) Because the order was entered in Los Angeles County Superior Court, any appeal of such order must proceed to the Second Appellate District, not this court. Prohibitory injunctions are not stayed pending appeal. (*Daly v. San Bernardino County Bd. of Supervisors* (2021) 11 Cal.5th 1030, 1040–1046.) Unless and until appellant obtains reversal or vacation of the vexatious litigant prefiling order, she is required to comply with it and courts are obligated to enforce it.

In light of appellant's refusal to apply for permission to proceed, the appeal is DISMISSED.

MOTOIKE, ACTING P. J.

APPENDIX B – Decision of State Court of Appeal Stay

SUPREME COURT
FILED
APR 22 2026
Jorge Navarrete Clerk
Deputy

Court of Appeal, Fourth Appellate District, Division Three - No. G066428

S295447

IN THE SUPREME COURT OF CALIFORNIA

En Banc

TAWANA JEAN COOPER, Plaintiff and Appellant,

v.

OPTUMRX, INC., et al., Defendants and Respondents.

The petition for review is denied.

GUERRERO
Chief Justice

Additional material from this filing is available in the Clerk's Office.