

8 California Procedure (5th), Extraordinary Writs

I. NATURE AND TYPES OF EXTRAORDINARY WRITS

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- 1. [§1] Ordinary and Extraordinary Writs.**
- 2. [§2] Abolition of Common Law Writs.**
- 3. [§3] Constitutional Relaxation of Common Law Restrictions.**
- 4. [§4] Constitutional Consolidation of Trial Courts.**

B. Certiorari: Review of Judicial Action.

- 1. [§5] In General.**
- 2. Comparison to Other Remedies.**
 - (a) [§6] Appeal.**
 - (b) [§7] Equitable Relief and Recall of Remittitur.**
 - (c) [§8] Prohibition.**
 - (d) [§9] Mandamus.**
 - (e) [§10] Habeas Corpus.**
 - (f) Special Types of Review.**
 - (1) [§11] State Bar Court Decisions.**
 - (2) Agricultural Labor Relations Board Decisions.**
 - (aa) [§12] In General.**
 - (bb) [§13] Effect of Constitutional Limitations.**
 - (cc) [§14] Summary Denial of Petition by ALRB.**
 - (3) [§15] Juvenile Court Orders Terminating Parental Rights.**
 - (4) [§16] Trial Court Orders for Disclosure Under Public Records Act.**
 - (5) [§17] Other Proceedings.**

C. Prohibition: Restraint of Judicial Action.

- 1. [§18] In General.**
- 2. Comparison to Other Remedies.**
 - (a) [§19] Mandamus.**
 - (b) [§20] Supersedeas.**
 - (c) [§21] Habeas Corpus.**
 - (d) [§22] Prohibitory Injunction.**

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- 1. [§23] In General.**
- 2. Comparison to Other Remedies.**
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 - (b) [§25] Quo Warranto.**
 - (c) [§26] Declaratory Relief.**

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- 1. [§27] In General.**
- 2. [§28] Action by Attorney General.**
- 3. [§29] Action on Application of Private Person.**
- 4. [§30] Action by Local Legislative Body.**

F. [§31] Discretionary Issuance of Prohibition or Mandamus.

G. [§32] Review of Administrative Decisions.

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(b) Nonappealable Judgments or Orders.

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(2) [§35] Contempt Orders.

(3) [§36] Probate Orders.

(4) [§37] Other Orders.

2. [§38] Legislative Acts Are Not Reviewable.

3. [§39] Ministerial Acts Are Not Reviewable.

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B. [§41] Lack or Excess of Jurisdiction.

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1. Remedy by Appeal.

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(b) [§43] Remedy Lost by Neglect.

(c) [§44] Remedy Lost Without Fault.

(d) [§45] Appeal to Superior Court.

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3. [§47] Other Adequate Remedy.

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2. [§49] Act Must Be Threatened.

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(b) [§51] Exception: Partially Completed or Continuing Act.

B. [§52] Lack or Excess of Jurisdiction.

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(b) [§54] Question of Fact.

(c) [§55] Effect of Respondent's Acquiescence.

(d) [§56] Effect of Alternative Writ.

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(cc) [§63] Other Kinds of Hardship.

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 - (aa) **§67 Constitutional or Statutory Interpretation.**
 - (bb) **§68 Threatened Public Injury.**
 - (cc) **§69 Issue of General Importance: Review Granted.**
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- (d) [§119] Effect of Alternative Writ.
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 - (4) [§130] Other Orders After Final Judgment.

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