



JUDICIAL COUNCIL OF
CALIFORNIA
ADMINISTRATIVE OFFICE
OF THE COURTS
Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

MEDIA ADVISORY

Release Number: 32

Release Date: December 21, 2010

Supreme Court Justices Disqualify Themselves in State Building Sale Case; Will Assign Temporary Justices

San Francisco – The California Supreme Court today issued an order in which all justices disqualified themselves from hearing an emergency writ involving the state’s sale of California state buildings. (*Schwarzenegger v. Court of Appeal*, S189114).

In addition to announcing the recusal of all members of the court from hearing this matter, the Supreme Court order also directs that seven pro tem justices from the state Courts of Appeal be assigned to hear the case in accordance with applicable provisions of the California Constitution and pursuant to the court's Internal Operating Policies and Procedures.

The order was signed by Acting Chief Justice Marvin R. Baxter.

Previously, all members of the Supreme Court recused themselves, and Court of Appeal justices were assigned in their place, in the case of *Mosk v. Superior Court* (1979) 25 Cal.3d 474.

The Supreme Court issued its order today in response to a petition for writ of mandate and request for emergency relief filed by the Governor's Office this morning.

-#-

SUPREME COURT
FILED

DEC 21 2010

Frederick K. Ohlrich Clerk

Deputy

S189114

IN THE SUPREME COURT OF CALIFORNIA

En Banc

ARNOLD SCHWARZENEGGER, as Governor, etc. et al., Petitioners,

v.

COURT OF APPEAL, SIXTH APPELLATE DISTRICT, Respondent;

JERRY B. EPSTEIN et al., Real Parties in Interest.

All members of the Supreme Court recuse themselves in the matter of *Schwarzenegger v. California Court of Appeal, Sixth Appellate District*, No. S189114. In accordance with Article VI, section 6, subdivision (e), of the California Constitution, the undersigned as Acting Chief Justice hereby directs that seven justices of the Court of Appeal be selected for assignment as pro tempore justices to act in the place and stead of the recused Supreme Court justices, pursuant to the established procedure set out in section IV.J. of the Internal Operating Practices and Procedures of the California Supreme Court. (See *Mosk v. Superior Court* (1979) 25 Cal.3d 474.)

Upon selection of the pro tempore justices, a further order reflecting the assignments and the designation of an Acting Chief Justice shall be issued.

BAXTER

Acting Chief Justice