

1 BRIGGS LAW CORPORATION [FILE: 1931.00]  
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7 Attorneys for Plaintiff and Petitioner Citizens for  
8 South Bay Coastal Access

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF SAN DIEGO – HALL OF JUSTICE

11 CITIZENS FOR SOUTH BAY COASTAL ACCESS, ) CASE NO. 37-2017-00048213-CU-TT-CTL  
12 )  
13 Plaintiff and Petitioner, )  
14 vs. )  
15 CITY OF SAN DIEGO; and DOES 1 through 100, )  
16 Defendants and Respondents. )

**VERIFIED COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF AND PETITION FOR WRIT OF  
MANDATE UNDER THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT, THE  
CALIFORNIA COASTAL ACT, AND  
OTHER LAWS**

17  
18 Plaintiff and Petitioner CITIZENS FOR SOUTH BAY COASTAL ACCESS ("Petitioner")  
19 alleges as follows:

20 **Parties**

21 1. Petitioner is a non-profit organization formed and operating under the laws of the State  
22 of California. At least one of Petitioner's members resides in, or near, the City of San Diego,  
23 California, and has an interest in, among other things, ensuring open, accountable, and responsive  
24 government and in protecting the City's quality of life.

25 2. Defendant and Respondent CITY OF SAN DIEGO ("CITY") is a "public agency"  
26 under Section 21063 of the Public Resources Code and a "local government" under Section 30109 of  
27 the Public Resources Code. As a "public agency," CITY is required to comply with California  
28 Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 *et seq.* As a "local

1 government,” CITY is also required to comply with the California Coastal Act (“Coastal Act”), Public  
2 Resources Code Section 30000 *et seq.*

3 3. The true names and capacities of the Defendants and Respondents identified as DOES  
4 1 through 100 are unknown to Petitioner, who will seek the Court’s permission to amend this pleading  
5 in order to allege the true names and capacities as soon as they are ascertained. Petitioner is informed  
6 and believes and on that basis alleges that each of the fictitiously named Respondents and Defendants  
7 1 through 100 has jurisdiction by law over one or more aspects of the proposed project that is the  
8 subject of this proceeding.

9 **Background Information**

10 4. CITY implements and administers a local coastal program (“LCP”) that was certified  
11 by the California Coastal Commission as being consistent with the Coastal Act. Generally speaking,  
12 the LCP applies to all development and land uses in CITY’s portion of the “coastal zone” as defined  
13 by Public Resources Code Section 30103.

14 5. On December 11, 2017, CITY approved a conditional use permit for the project  
15 commonly known as the Palm Avenue Transitional Housing for the Smart Program (“Project”). CITY  
16 also determined that the Project is exempt from environmental review under CEQA.

17 6. Petitioner opposes the Project based on environmental- and economic-justice grounds.  
18 The Project is located in the South Bay portion of CITY, in the coastal zone, and involves the  
19 conversion of the community’s only commercial lodging facility into a transitional-housing facility.  
20 That leaves nowhere for tourists to lodge when they visit the South Bay’s coastal resources. The  
21 Project thus violates CITY’s LCP and/or effectively amends it (without approval from the California  
22 Coastal Commission) by substantially curtailing public access to coastal resources in the South Bay.

23 **Notice Requirements and Time Limitations**

24 7. This proceeding is being commenced not more than 35 days after the notice described  
25 in Public Resources Code Section 21167(d) was filed with the county clerk (if such a notice was filed).

26 8. Petitioner has caused a Notice of Commencement of Action to be served on  
27 Respondents, as required by Public Resources Code Section 21167.5. A true and correct copy of the  
28 Notice of Commencement of Action is attached to this pleading as Exhibit “A.”

1 9. Petitioner will have caused a copy of this pleading to be served on the Attorney General  
2 not more than 10 days after the commencement of this proceeding, as required by Public Resources  
3 Code Section 21167.7 and Code of Civil Procedure Section 388.

4 **Jurisdiction and Exhaustion of Administrative Remedies**

5 10. Petitioner seeks review by and relief from this Court under Public Resources Code  
6 Sections 21168, 21168.5, and/or 30802, as applicable, and Code of Civil Procedure Sections 1060 *et*  
7 *seq.* and 1084 *et seq.*, among other provisions of law.

8 11. Petitioner exhausted administrative remedies to the extent required by law; by way of  
9 example and without limitation, one or more of Petitioner's members submitted oral and/or written  
10 comments to Respondents prior to the close of the public meeting on the Project.

11 12. Respondents' conduct in approving this Project without complying with CEQA and the  
12 Coastal Act constitutes a prejudicial abuse of discretion because, as alleged in this pleading, they failed  
13 to proceed in a manner required by law.

14 13. Petitioner has no plain, speedy, and adequate remedy in the ordinary course of law, since  
15 its members and other members of the public will suffer irreparable harm as a result of Respondents'  
16 violations of CEQA, the Coastal Act, and other applicable laws. Respondents' approval of the Project  
17 also rests on their failure to satisfy a clear, present, ministerial duty to act in accordance with the  
18 applicable laws. Even when Respondents are permitted or required by law to exercise their discretion  
19 in approving projects under those laws, they remain under a clear, present, ministerial duty to exercise  
20 their discretion within the limits of and in a manner consistent with those laws. Respondents have had  
21 and continue to have the capacity and ability to approve the Project within the time limits of and in a  
22 manner consistent with those laws, but Respondents have failed and refused to do so and have exercised  
23 their discretion beyond the limits of and in a manner that is not consistent with those laws.

24 14. Petitioner has a beneficial right and interest in Respondents' fulfillment of all their legal  
25 duties, as alleged in this pleading.

26 **FIRST CAUSE OF ACTION:**  
27 **Illegal Approval of Project**  
28 **(Against All Respondents and Real Parties in Interest)**

15. Paragraphs 1 through 14 are fully incorporated into this paragraph.

1           16.    The Project does not comply with all applicable laws. By way of example and not  
2 limitation (including alternative theories of liability):

3           A.    The Project violates CEQA. In particular:

4           i.    CEQA applies to every discretionary project proposed to be carried out  
5 or approved by a public agency, unless the project is exempt from CEQA. Generally speaking, the  
6 public agency must review the potentially significant environmental impacts of every discretionary  
7 project subject to CEQA review that the agency proposes to carry out or approve. Such review involves  
8 determining whether the proposal is exempt, should be the subject of a negative declaration, or should  
9 be the subject of an environmental impact report.

10           ii.   The use of a CEQA exemption is inappropriate when a project may have  
11 significant environmental impacts or when there are potentially significant environmental impacts due  
12 to unusual circumstances.

13           iii.   The Project constitutes a “project” under CEQA because its approval  
14 involved the exercise of discretion and has the potential to cause significant direct, indirect, or  
15 cumulative adverse impacts (if not all such impacts) on the environment, including but not limited to  
16 conflicts in Respondents’ land-use and zoning regulations.

17           iv.   These significant direct, indirect, or cumulative adverse impacts on the  
18 environment give rise to Respondents’ legal obligation to subject the Project to CEQA review.

19           v.    Respondents’ refusal to apply CEQA to the Project and subject it to  
20 environmental review constitutes a violation of CEQA.

21           vi.   As a result of Respondents’ violation of CEQA, Petitioner has been  
22 harmed insofar as Petitioner, its members, other members of the public, and the responsible decision-  
23 makers were not fully informed about the potential adverse environmental impacts of the Project, and  
24 insofar as Petitioner, its members, and other members of the public did not have an opportunity to  
25 participate meaningfully in the analysis of such impacts prior to approval of the Project.

26           B.    The Project violates the Coastal Act. In particular:

27           i.    Public Resources Code Section 30512(a) provides in part as follows:  
28 “The land use plan of a proposed local coastal program shall be submitted to the commission. The

1 commission shall, within 90 days after the submittal, after public hearing, either certify or refuse  
2 certification, in whole or in part, the land use plan pursuant to the following procedure. . . .”

3           ii.       Public Resources Code Section 30514(a) provides as follows: “A certified  
4 local coastal program and all local implementing ordinances, regulations, and other actions may be  
5 amended by the appropriate local government, but no such amendment shall take effect until it has been  
6 certified by the commission.”

7           iii.       The Project was not in any way part of Respondents’ LCP prior to  
8 December 11, 2017.

9           iv.       The Project effectively became part of the land-use plan of Respondents’  
10 LCP on or after December 11, 2017.

11           v.       The Project constitutes an amendment of Respondents’ LCP that has not  
12 been certified by the California Coastal Commission.

13           vi.       The Project requires the issuance of a coastal development permit, which  
14 CITY has not approved for the Project.

15           vii.       No development in the coastal zone may occur unless and until a coastal  
16 development permit has been issued.

17           viii.       The Project conflicts with regulatory guidance issued by the California  
18 Coastal Commission on June 7, 2017, and again on September 8, 2017. A true and correct copy of the  
19 regulatory guidance is attached to this pleading as Exhibit “B.”

20           ix.       The Project was enacted through adoption and approval of a resolution,  
21 not an ordinance. The Coastal Act requires adoption and approval of LCP amendments through an  
22 ordinance. When a statute requires an ordinance instead of a resolution, implementation through a  
23 resolution is legally insufficient.

24           x.       As a result of Respondents’ violation of the Coastal Act, Petitioner has  
25 been harmed insofar as Petitioner, its members, other members of the public have not received the  
26 protection of California Coastal Commission oversight of the Project to ensure that it complies with  
27 the public-access and other policies of the Coastal Act.

28

1 C. The Project violates the Planning and Zoning Law (“PZL”). In particular:

2 i. No land-use proposal may be approved if it would not be consistent with  
3 the applicable Community Plan or if the agency approving it has not made all requisite findings and  
4 supported them with substantial evidence in the record.

5 ii. The Project is not consistent with the applicable Community Plan.

6 iii. CITY did not make all required findings when it approved the Project and  
7 in at least one respect failed to support a required finding with substantial evidence in the record.

8 iv. As a result of Respondents’ violation of the PZL, Petitioner has been  
9 harmed insofar as Petitioner, its members, other members of the public have not received the protection  
10 afforded through compliance with the PZL.

11 17. There is currently a dispute between Petitioner and Respondents over the Project’s legal  
12 force and effect. Petitioner contends that the Project has no legal force or effect because it violates  
13 CEQA, the Coastal Act, and/or one or more other applicable laws. Respondents dispute Petitioner’s  
14 contention. The parties therefore require a judicial determination of the Project’s legal force and effect  
15 (if any).

16 **Prayer**

17 FOR ALL THESE REASONS, Petitioner respectfully prays for the following relief against  
18 Defendants/Respondents (and any and all other parties who may oppose Petitioner in this proceeding):

19 A. A judgment or other appropriate order determining or declaring that Respondents failed  
20 to fully comply with CEQA, the Coastal Act, and/or one or more other applicable laws as they relate  
21 to the Project and that there must be full compliance therewith before final approval and  
22 implementation of the Project may occur;

23 B. A judgment or other appropriate order determining or declaring that Respondents failed  
24 to comply with CEQA, the Coastal Act, and/or one or more other applicable laws as they relate to the  
25 Project and that its approval and implementation was illegal in at least some respect, rendering the  
26 approval and implementation null and void;

27 C. Injunctive relief prohibiting Respondents (and any and all persons acting at the request  
28 of, in concert with, or for the benefit of one or more of them) from taking any action on any aspect of,

1 in furtherance of, or otherwise based on the Project unless and until Respondents comply with CEQA,  
2 the Coastal Act, and all other applicable laws, as determined by the Court;

3 D. Any and all other relief that may be authorized by CEQA, the Coastal Act, or other  
4 applicable laws, or any combination of them, but is not explicitly or specifically requested elsewhere  
5 in this Prayer;

6 E. Any and all legal fees and other expenses incurred by Petitioner in connection with this  
7 proceeding, including but not limited to reasonable attorney fees as authorized by the Code of Civil  
8 Procedure; and


9 F. Any and all further relief that this Court may deem appropriate.

10 Date: December 13, 2017.

Respectfully submitted,

11 BRIGGS LAW CORPORATION

12  
13 By:

  
Cory J. Briggs

14 Attorneys for Plaintiff and Petitioner Citizens for  
15 South Bay Coastal Access  
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**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION  
FOR WRIT OF MANDATE UNDER THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT, THE CALIFORNIA COASTAL ACT, AND OTHER LAWS**

Exhibit "A"



# BRIGGS LAW CORPORATION

San Diego Office:  
4891 Pacific Highway, Suite 104  
San Diego, CA 92110

Telephone: 619-497-0021  
Facsimile: 909-949-7121

Please respond to: Inland Empire Office

Inland Empire Office:  
99 East "C" Street, Suite 111  
Upland, CA 91786

Telephone: 909-949-7115  
Facsimile: 909-949-7121

BLC File(s): 1931.00

13 December 2017

City of San Diego  
c/o City Clerk Elizabeth Maland  
202 "C" Street, 2nd Floor  
San Diego, CA 92101

Via Fax to 619-533-4045

Re: Notice of Commencement of Action

Dear City of San Diego:

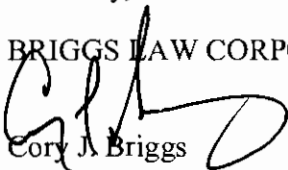
I represent Citizens for South Bay Coastal Access and am sending this Notice of Commencement of Action on my client's behalf.

Please be advised that an action is to be commenced by my client in San Diego County Superior Court against your agency. The action will challenge your agency's action (and all associated approvals) of the project that was the subject of Item 204 on the City Council's December 11, 2017 agenda (*i.e.*, Palm Avenue Transitional Housing for the Smart Program - Project No. 569136), on the grounds that the approval violated the California Environmental Quality Act (PUB. RES. CODE § 21000 *et seq.*) and the California Coastal Act (PUB. RES. CODE § 30000 *et seq.*). The action may also challenge your agency's approval of the project based on one or more violations of other laws.

If you have any questions, please feel free to contact me.

Sincerely,

BRIGGS LAW CORPORATION

  
Cory J. Briggs



# BRIGGS LAW CORPORATION

San Diego Office:  
4891 Pacific Highway, Suite 104  
San Diego, CA 92110

Telephone: 619-497-0021  
Facsimile: 909-949-7121

Inland Empire Office:  
99 East "C" Street, Suite 111  
Upland, CA 91786

Telephone: 909-949-7115  
Facsimile: 909-949-7121

## FACSIMILE COVER SHEET

Recipient: City Clerk Elizabeth Maland

Recipient's fax number: 619-533-4045

Date: 13 December 2017 BLC File: 1931.00

Total Pages (including cover sheet): 2

Sender: Cory J. Briggs

Sender's fax number:  619-515-6410  909-949-7121

Message: Please see the following Notice of Commencement  
of Action. Thank you.

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Original Document to Follow?  Yes  No

### CONFIDENTIALITY

The document accompanying this facsimile transmission contains information that may be either confidential, legally privileged, or both. The information is intended only for the use of the recipient(s) named on this cover sheet. If not done by or at the direction of the recipient(s), disclosure, copying, distribution, or reliance on any of the contents of this transmission is strictly prohibited. If you have received this facsimile transmission in error, please notify us immediately by telephone so that we can arrange for its return at no cost to you.

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TRANSMISSION VERIFICATION REPORT

TIME : 12/13/2017 02:22PM  
NAME :  
FAX :  
TEL :  
SER.# : U63088K2N278525

DATE, TIME 12/13 02:21PM  
FAX NO./NAME 16195334045  
DURATION 00:00:56  
PAGE(S) 02  
RESULT OK  
MODE STANDARD

**BRIGGS LAW CORPORATION**

*San Diego Office:  
4891 Pacific Highway, Suite 104  
San Diego, CA 92110*

*Telephone: 619-497-0021  
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**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION  
FOR WRIT OF MANDATE UNDER THE CALIFORNIA ENVIRONMENTAL  
QUALITY ACT, THE CALIFORNIA COASTAL ACT, AND OTHER LAWS**

Exhibit "B"

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370



September 8, 2017

Jeffrey Peterson  
City of San Diego Development Services Dept.  
1222 First Avenue, MS 302  
San Diego, CA 92101-4155

Re: Off-Line Reviewer Notification for Project Number 569136 Conversion of Super 8 Motel at 1788 Palm Avenue into Transitional or Affordable Housing

Dear Mr. Peterson:

Thank you for the opportunity to comment on the above-referenced project. The information submitted indicates that the required discretionary permit associated with the project is a Conditional Use Permit. The subject site is within the City's Coastal Overlay Zone, and the project consists of conversion of a motel to transitional housing. This is a change in intensity of use, which is development requiring approval of a coastal development permit from the City. A coastal development permit issued by the City on the subject site would be appealable to the Coastal Commission.

Staff previously commented on this project in June of this year, and this letter is attached for your review. To briefly summarize, the certified Otay Mesa-Nestor Community Plan includes specific language protecting existing motels, recommending "retention and rehabilitation of the existing hotels, retail, and visitor-oriented commercial areas along the southern edge of the San Diego Bay in order maintain visitor-oriented uses and public access to coastal resources." Conversion of an existing motel to a residential use resulting the loss of 64 lower-cost motel units would not be consistent with this policy. Thus, before the City could issue a coastal development permit for the conversion, an amendment to the City's Community/Land Use Plan is required.

Specific comments on the Coastal Act requirements that visitor-serving facilities be protected are included in the attached letter. Thank you again for the opportunity to comment, and please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Diana Lilly".

Diana Lilly  
Senior Planner

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4421  
(619) 767-2370



June 7, 2017

Councilmember David Alvarez  
City of San Diego  
202 C Street, MS 10A  
San Diego, CA 92101

Re: Conversion of Super 8 Motel at 1788 Palm Avenue into Transitional or Affordable Housing

Dear Councilmember Alvarez:

Thank you for your letter of May 30, 2017 asking for Commission staff input on the possible conversion of a Super 8 motel into a transitional housing and/or affordable housing facility. The existing motel is located on the north side of Palm Avenue, in the Otay Mesa/Nestor community. The site is covered by the City's certified Local Coastal Program (LCP), in an area where coastal development permits are appealable to the Coastal Commission.

The site is designated for Community Commercial in the certified Otay Mesa-Nestor Community Plan/Land Use Plan and zoned Commercial-Community (CC-4-2) in the City's zoning code. The purpose of the Community Commercial land use and zone designations are to provide a wide range of commercial development types and facilities. Neighborhood and Visitor Commercial uses are also typical uses found under this land use designation.

Staff's understanding is that the City's Land Development Code permits both Transitional Housing Facilities and Multiple Dwelling Units in the CC-4-2 zone, although there are many specific regulations that apply to transitional housing and multiple dwelling units including limits on ground floor uses, parking, facility size, etc., which any such use would have to comply with. However, the certified Otay Mesa-Nestor Community Plan includes specific language protecting existing motels, recommending "retention and rehabilitation of the existing hotels, retail, and visitor-oriented commercial areas along the southern edge of the San Diego Bay in order maintain visitor-oriented uses and public access to coastal resources." Conversion of an existing motel to a residential use would not be consistent with this policy. Thus, before the City could issue a coastal development permit for the conversion, an amendment to the City's Community/Land Use Plan would be required.

With regard to Coastal Act issues associated with a permit or LCP amendment allowing conversion of a motel to a residential use, visitor-serving uses such as overnight accommodations are high-priority uses under the Coastal Act and the certified LCP, particularly lower-cost accommodations, which would appear to include the existing motel. The Coastal Commission has the responsibility to both protect existing lower-cost

June 7, 2017

Page 2

facilities, and to ensure that a range of affordable facilities be provided in new development along the coastline of the state. Neither the City of San Diego nor Imperial Beach currently have an abundance of existing lower cost overnight accommodations within close access to the coast. Thus, the Commission has typically discouraged the conversion of existing lower-cost overnight accommodations into lower priority residential uses. When such projects are proposed, the Commission has typically required that when existing lower or moderate cost overnight accommodations are removed, the inventory be replaced with units that are of comparable cost and recreational value to the public as the existing units being removed.

If replacement of the lower or moderate cost units is not part of a proposed project (either on-site or elsewhere in the City), then the development should include, as a condition of approval for a CDP, some kind of mitigation to provide for the construction or funding for the establishment of lower cost overnight visitor accommodations within the City of San Diego, preferably in South San Diego County, for each of the lower cost units removed/converted on a 1:1 basis. As part of the analysis of impacts to affordable overnight accommodations that should be undertaken for any redevelopment of the site, a survey of the availability and cost-range of existing and proposed overnight visitor accommodations in the vicinity of the proposed hotel should be undertaken. That analysis should also consider how payment of a fee or other offsetting measures in-lieu of actual provision of affordable overnight accommodations could help mitigate the impact of removing lower-cost visitor-serving facilities.

It is Commission staff's expectation that the above issues would be analyzed and considered by the City as part of the LUP amendment which would have to be approved by the Commission prior to issuance of an appealable coastal development permit. Given the limited availability of lower-cost accommodations in the City's Coastal Zone, while we acknowledge the need for transitional and affordable housing options, Commission staff would encourage the City to retain and rehabilitate, as needed, the existing motel and look to other alternatives and sites to address the City's housing needs.

Please let me know if you have any additional questions.

Sincerely,



Diana Lilly  
Senior Planner

**VERIFICATION**

STATE OF CALIFORNIA, COUNTY OF San Diego

I have read the foregoing COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND PETITION FOR WRIT OF MANDATE etc. and know its contents.

CHECK APPLICABLE PARAGRAPH

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am  an Officer  a partner \_\_\_\_\_ of \_\_\_\_\_ Citizens for South Bay Coastal Access a party to this action, and am authorized to make this verification for and on its behalf and I make this verification for that reason.  I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.  The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for \_\_\_\_\_ a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on December 13, 20 17, at San Diego, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Rodel Reyes

Type or Print Name

Signature

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_

I am employed in the county of \_\_\_\_\_, State of California. I am over the age of 18 and not a party to the within action; my business address is, \_\_\_\_\_

On \_\_\_\_\_, 20 \_\_\_\_\_, I served the foregoing document described as \_\_\_\_\_

\_\_\_\_\_ on \_\_\_\_\_ in this action by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:  by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL

\* I deposited such envelope in the mail at \_\_\_\_\_, California.

The envelope was mailed with postage thereon fully prepaid.

As follows I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at \_\_\_\_\_ California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, California.

\*\* (BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct. I  (Federal) declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Rodel Reyes  
Type or Print Name

Rodel Reyes  
Signature

\* (By MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)

\*\* (FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)