



OFFICE OF THE CLERK  
**Court of Appeal**

STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION TWO

**COUNSEL MUST READ  
AND COMPLY WITH  
THIS NOTICE.**

HENRY ESPINOZA  
ASSISTANT CLERK/ADMINISTRATOR

STEPHEN M. KELLY  
CLERK/ADMINISTRATOR

DIVISION TWO  
3389 TWELFTH STREET  
RIVERSIDE, CALIFORNIA 92501  
TELEPHONE (909) 248-0200

April 7, 2003

**NOTICE**

Enclosed is the tentative opinion of a majority of the three-justice panel hearing the appeal. The court has determined that (1) the record and briefs adequately present the facts and legal arguments, (2) oral argument ~~will not aid~~ the decision-making process, and (3) the tentative opinion should be filed as the final opinion without oral argument in the interests of a quicker resolution of the appeal and the conservation of scarce judicial resources. **Scheduling oral argument regularly delays filing the opinion six to ten weeks, and, if continued, the case may be delayed for up to five months.** Nevertheless, if counsel disagrees with the court's determination and does not consider the delay significant, counsel should request oral argument. *Therefore:*

**(1) ORAL ARGUMENT WILL BE DEEMED WAIVED UNLESS:**

- (a) Counsel properly completes and signs the attached form,  
*and*
- (b) The box confirming the request for oral argument is checked,  
*and*
- (c) The clerk of this court receives the form on or before 12 days after the date of this notice. (The 5-day extension for service by mail (CCP § 1013, subd. (a).) does *not* apply.)

**NO RELIEF FROM DEFAULT WILL BE GRANTED UNDER ANY CIRCUMSTANCES IF THE REQUEST IS NOT TIMELY RECEIVED.**

- (2) No more than 15 minutes of oral argument is allowed for each party.
- (3) Counsel may not repeat arguments made in counsel's briefs.
- (4) No supplemental briefing is accepted without court order.
- (5) No continuances are permitted except by court order.
- (6) Sanctions may be imposed for noncompliance with this notice.