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SHERIFF CHRISTINA CORPUS

9
10 *Exempt from filing fees pursuant to Government Code § 6103*

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

12 **COUNTY OF SAN MATEO**

14 SHERIFF CHRISTINA CORPUS,

15 Petitioner,

16 v.

17 COUNTY OF SAN MATEO BOARD OF
18 SUPERVISORS; COUNTY EXECUTIVE
19 MIKE CALLAGY; ASSISTANT CLERK TO
THE BOARD SUKHMANI S. PUREWAL; and
DOES 1-10,

20 Respondents.

Case No.: 25-CIV-04319

**PETITION FOR WRIT OF MANDATE;
COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF
[CODE CIV. PROC. §§ 1085, 1094.5]
REQUEST FOR IMMEDIATE STAY**

Date: 9/12/2025

Time: 2:00 PM

Dept: 15

Judge: DON R. FRANCHI

21 **I. INTRODUCTION**

22 Petitioner Sheriff Christina Corpus (“Petitioner” or “Sheriff Corpus”), the duly elected Sheriff of
23 San Mateo County, brings this action to halt an unlawful and unconstitutional effort by the San Mateo
24 County Board of Supervisors (“Board”) to remove her from office under newly adopted Charter Section
25 412.5 and the Board’s Sheriff Removal Procedures.

26 On June 5, 2025, the Board voted to adopt a Notice of Intent to Remove Sheriff Corpus, initiating
27 punitive proceedings that violate due process, the Public Safety Officers Procedural Bill of Rights Act
28

1 (POBAR), and both the California and United States Constitutions. The adopted procedures lack
2 essential safeguards, are infected by actual bias, and are being applied retroactively to alleged conduct
3 predating the effective date of Charter Section 412.5.

4 Sheriff Corpus seeks emergency judicial intervention, including an immediate stay of the
5 removal proceedings, and further requests the issuance of a writ of mandate, as well as declaratory and
6 injunctive relief, to prevent the continued enforcement of the unconstitutional procedures. Relief is also
7 sought against Respondents County Executive Mike Callagy and Assistant Clerk of the Board Sukhmani
8 S. Purewal (collectively with the Board, “Respondents”).

9 **II. JURISDICTION AND VENUE**

- 10 4. Jurisdiction is proper under Code of Civil Procedure sections 1085 and 1094.5. Declaratory and
11 injunctive relief is authorized by Government Code section 11130, Code of Civil Procedure
12 section 526, and California Constitution Article I, section 7.
- 13 5. Venue lies in the Superior Court of San Mateo County because Respondents are public entities
14 and officials operating in this County, and the actions at issue occurred in this jurisdiction.

15 **III. PARTIES**

- 16 6. Petitioner is the duly elected Sheriff of San Mateo County.
- 17 7. Respondents are the San Mateo County Board of Supervisors, the County of San Mateo, County
18 Executive Mike Callagy, and Assistant Clerk of the Board Sukhmani S. Purewal; public entities
19 and officials engaged in the administration of the removal procedures.
- 20 8. Does 1-10 are public entities and officials engaged in the administration of the removal
21 procedures.

22 **IV. FACTUAL ALLEGATIONS**

- 23 8. On March 4, 2025, San Mateo County voters approved Measure A, adding Charter Section 412.5,
24 which authorizes the Board to remove the elected Sheriff for specified causes by a four-fifths
25 vote, following a notice and opportunity to be heard.
- 26 9. On May 6, 2025, the Board purported to adopt Sheriff Removal Procedures under Section 412.5.
27 However, the version published following that meeting failed to incorporate a critical amendment
28 publicly discussed and supported by Supervisors during the hearing—specifically, a requirement

1 that the hearing officer presiding over the pre-removal conference be a retired judge. The
2 omission creates a conflict between the Board's recorded discussion and the enacted procedures,
3 violating procedural regularity and transparency.

4 10. On June 5, 2025, the Board voted to adopt a Notice of Intent to Remove Sheriff Corpus. That
5 vote initiated formal removal proceedings based on the flawed and improperly adopted
6 procedures.

7 11. Two voting members of the Board—Supervisors Corzo and Mueller—have made repeated public
8 statements exhibiting prejudgment and animus toward Sheriff Corpus. Their continued
9 participation in the removal proceedings violates the requirement of a neutral and impartial
10 tribunal guaranteed by due process.

11 12. The Sheriff Removal Procedures do not provide meaningful due process protections. The Sheriff
12 is granted only five calendar days to respond to the Notice of Intent, and the pre-removal
13 conference is conducted by a subordinate executive official without any opportunity for sworn
14 testimony, cross-examination, or evidentiary rules. The so-called "appeal" is reviewed by a
15 hearing officer with final authority again resting in the hands of the Board. The decision that
16 comes out of the flawed pre-removal conference prejudices the subsequent decisions and
17 ultimately the outcome of these proceedings.

18 13. The procedures also fail to provide the procedural protections mandated under the Public Safety
19 Officers Procedural Bill of Rights Act (POBAR), including the right to an evidentiary hearing
20 before an impartial decision-maker and an adequate opportunity to respond to charges affecting
21 employment and reputation.

22 14. The charges upon which the Board has acted include alleged conduct occurring before March 4,
23 2025, the effective date of Section 412.5. Application of the new removal process to prior conduct
24 violates the ex post facto prohibition of Article I, Section 9 of the California Constitution and
25 Article 1, Section 10 of the U.S. Constitution.

26 15. Section 412.5 also violates the prohibition against bills of attainder set forth in Article 1, Section
27 9 of the California Constitution and Article 1, Section 10 of the U.S. Constitution. Section 412.5
28 by its own terms, terminates on December 31, 2028, which is when Sheriff Corpus's current term

1 expires. Thus, rather than some sort of structural revision to county government, Section 412.5
2 specifically targets Sheriff Corpus and no other.

3 16. The investigation underlying the Board's action was conducted outside the scope of any
4 adjudicative proceeding. It was neither subject to formal rules of evidence nor made public. The
5 Board continues to withhold the full investigative report and underlying documentation, claiming
6 privilege while simultaneously relying on those materials to justify the removal vote.

7 17. Sheriff Corpus further lacks access to critical documents necessary to prepare her defense in these
8 proceedings. The Cordell Report, prepared by retired Judge LaDoris Cordell at the Board's
9 direction, played a significant role in the Board's decision to draft and vote to place Measure A
10 on the March 2025 ballot, thereby amending the County Charter to authorize the Sheriff's
11 removal. Sheriff Corpus submitted a California Public Records Act (CPRA) request seeking the
12 Cordell Report and its supporting materials. The County denied the request, and that denial is
13 now the subject of pending litigation in this Court, *Corpus v. County of San Mateo Board of*
14 *Supervisors, et al.*, Case No. 25-CIV-02539. Without access to these materials and given the
15 unreasonably short five-day deadline to respond to the Notice of Intent to Remove, Sheriff
16 Corpus is deprived of the ability to meaningfully prepare her defense, in violation of her due
17 process and POBAR rights.

18 18. The County's subsequent actions have compounded this prejudice. Following the election, the
19 County commissioned a second investigative report from the law firm Keker, Van Nest & Peters
20 LLP ("Keker"). Although the Keker report does not explicitly reference the Cordell Report, it is
21 highly likely that the Keker report was unavoidably influenced and prejudiced by the findings
22 and conclusions of the publicly released Cordell Report, which shaped the political and factual
23 narrative surrounding Sheriff Corpus. The Keker report is the basis of the materials supporting
24 the Board's Notice of Intent to Remove. Because Sheriff Corpus has been denied access to the
25 full unredacted Cordell Report and its underlying materials, she is forced to defend against
26 allegations built in part upon a record shaped by prior investigative findings that she cannot fully
27 examine or challenge. This layered reliance on contested and undisclosed materials further
28 violates her constitutional right to a fair and impartial proceeding.

1 19. Sheriff Corpus has no plain, speedy, or adequate remedy at law. Absent immediate judicial
2 intervention, she faces removal from elected office through an unconstitutional and procedurally
3 defective process, resulting in irreparable harm to her official position, reputation, and the
4 integrity of the electoral process.

5 **V. LEGAL GROUNDS FOR RELIEF**

6 **A. Violation of Due Process (Cal. Const., art. I, § 7; U.S. Const., amend. XIV)**

7 20. The removal procedures fail to ensure a fair and neutral process as required by due process
8 principles. (*See Morongo Band of Mission Indians v. State Water Resources Control Bd.* (2009)
9 45 Cal.4th 731, 737.)

10 23. A biased decision-maker violates due process. (*Withrow v. Larkin* (1975) 421 U.S. 35, 47.) When
11 even one member of a Board acts as an advocate, rather than a neutral and impartial decision
12 maker, no fair hearing is possible and the decision must be invalidated. (*Petrovich Development*
13 *Company, LLC v. City of Sacramento* (2020) 48 Cal.App.5th 963; The continued participation of
14 Supervisors Corzo and Mueller—who have made repeated public statements prejudging Sheriff
15 Corpus—renders the process constitutionally infirm.

16 21. The absence of sworn testimony, lack of meaningful evidentiary standards, and selective
17 consideration of unsworn investigative materials undermine the integrity of the fact-finding
18 process. (*Pitts v. Perluss* (1962) 58 Cal.2d 824, 835.) The removal procedures adopted and
19 implemented by the Board violate Sheriff Corpus’s constitutional right to due process by denying
20 her a fair and neutral tribunal, adequate notice, and a meaningful opportunity to be heard. The
21 procedures authorize decision-making by biased individuals, fail to provide for cross-
22 examination or evidentiary standards, and vest final authority in the same body initiating the
23 removal.

24 **B. Violation of Quasi-Judicial Standards (Code Civ. Proc., § 1094.5)**

25 24. The proceedings are quasi-judicial in nature and subject to the procedural requirements for fair
26 administrative hearings. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974)
27 11 Cal.3d 506.) When even one member of a Board acts as an advocate, rather than a neutral and
28 impartial decision maker, no fair hearing is possible and the decision must be invalidated.

1 (*Petrovich Development Company, LLC v. City of Sacramento* (2020) 48 Cal.App.5th 963.)

2 25. The adopted structure fails to provide an adequate administrative record, reliable findings, or an
3 impartial evidentiary basis for removal. The process lacks a neutral adjudicator with final
4 authority and instead permits final decision-making by the initiating body, contrary to
5 foundational administrative law principles. Indeed, two of the five members of this body have
6 already made public comments indicating that they have already determined they intend to
7 remove Sheriff Corpus. The challenged procedures constitute a quasi-judicial adjudication
8 subject to review under Code of Civil Procedure section 1094.5. The Board acted in excess of its
9 jurisdiction, abused its discretion, and failed to provide a fair hearing. Among other errors, it
10 disregarded necessary procedural amendments discussed and agreed to at the May 6, 2025,
11 meeting, thereby adopting a materially incomplete and misleading version of the rules.

12 **C. Traditional Mandamus (Code Civ. Proc., § 1085)**

13 25. The Board and its officers have a ministerial duty to implement lawful and constitutional
14 procedures. By enforcing procedures that are procedurally invalid and constitutionally deficient,
15 Respondents have failed to perform a duty required by law and have abused their discretion.

16 **D. Violation of the Public Safety Officers Procedural Bill of Rights Act (Gov. Code,**
17 **§§ 3300–3313)**

18 26. The Sheriff is a peace officer entitled to the protections of POBAR. The challenged procedures
19 violate Government Code sections 3304(b) and 3304.5 by failing to afford an impartial
20 evidentiary hearing and independent review. The procedural timeline, absence of discovery
21 rights, and limited role of the hearing officer are inconsistent with the safeguards required by
22 statute and case law.

23 27. Moreover, in addition to denying Sheriff Corpus the shield of POBAR, the Board’s conduct also
24 results in POBAR being wielded as a sword against Sheriff Corpus. In order to address the
25 allegations against her, which are made by other peace officers, Sheriff Corpus necessarily must
26 address personnel issues of the accusers. She cannot do so without explicit consent and waiver
27 of POBAR rights by her accusers, which, thus far, have not been received.

28 **E. Application of Section 412.5 in Violation of the Ex Post Facto Clause (Cal. Const.,**

1 **art. I, § 9 and Article 1, Section 10 of the U.S. Constitution)**

2 28. The Board seeks to apply Charter Section 412.5 to conduct predating its enactment and effective
3 date of March 4, 2025. Such retroactive application constitutes an unconstitutional ex post facto
4 law by altering the legal consequences of past conduct and impairing vested rights. The removal
5 from office is punitive and therefore the prohibition on ex post facto punishment applies to the
6 conduct alleged in the Notice of Intent.

7 **F. Section 412.5 Violates of the Prohibition Against Bills of Attainder (Cal. Const.,**
8 **art. I, § 9 and Article 1, Section 10 of the U.S. Constitution)**

9 29. Similarly, Section 412.5 specifically targets Sheriff Corpus and no other for punishment.
10 Accordingly, Section 412.5 violates the prohibition against bills of attainder under the California
11 and the United States Constitution.

12 **G. Declaratory Relief (Code Civ. Proc., § 1060)**

13 30. An actual controversy exists between Petitioner and Respondents concerning the legality of the
14 adopted removal procedures. Declaratory relief is appropriate to determine the rights and
15 obligations of the parties and to prevent further harm.

16 **H. Injunctive Relief (Code Civ. Proc., § 526)**

17 31. Unless restrained, Respondents will proceed under unconstitutional and invalid procedures,
18 causing irreparable harm to Petitioner. Injunctive relief is necessary to preserve the status quo
19 and prevent unlawful removal.

20 32. The structure fails to provide an adequate administrative record, reliable findings, an impartial
21 or a fair evidentiary basis for removal.

22 **VI. PRAYER FOR RELIEF**

23 WHEREFORE, Petitioner respectfully requests:

- 24 1. Immediate issuance of a temporary restraining order and/or stay prohibiting the Board from
25 enforcing or acting under the Notice of Intent to Remove adopted on June 5, 2025;
26 2. Issuance of a writ of mandate under Code Civ. Proc. §§ 1085 and/or 1094.5 invalidating the
27 adopted procedures;
28 3. Declaratory judgment that the procedures violate due process, POBAR, and constitutional rights;

- 1 4. Permanent injunctive relief barring proceedings under the invalid procedures;
2 5. Such other and further relief as the Court deems just and proper.

3
4 **VII. VERIFICATION**

5 I, Christina Corpus, am the Petitioner in this action. I have read the foregoing Verified Petition for Writ
6 of Mandate and Complaint for Declaratory and Injunctive Relief and know its contents. The facts
7 alleged therein are true of my own personal knowledge, except as to those matters stated on
8 information and belief, and as to those matters, I believe them to be true.

9 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
10 and correct.

11 Executed this ____ day of June, 2025, at _____, California.

12 Christina Corpus
13 Petitioner

14
15 MURPHY, PEARSON, BRADLEY & FEENEY

16
17 By 

18 Thomas P. Mazzucco
19 Christopher R. Ulrich
20 Matthew J. Frauenfeld
21 Attorneys for
22 SHERIFF CHRISTINA CORPUS
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