

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

COURT OF APPEAL – SECOND DIST.

FILED

Apr 21, 2017

JOSEPH A. LANE, Clerk

dlee Deputy Clerk

SAMUEL A. PERRONI,

Petitioner,

v.

THE SUPERIOR COURT OF LOS  
ANGELES COUNTY,

Respondent.

LOS ANGELES COUNTY SHERIFF'S  
DEPARTMENT et al.,

Real Parties in Interest.

B281001

(Super Ct. No. BS159430)

(James C. Chalfant, Judge)

**ORDER**

THE COURT:

The court has read and considered the petition for writ of mandate filed March 1, 2017, and the preliminary opposition filed March 13, 2017. The petition is denied. The records requested by petitioner are exempt from disclosure under Government Code section 6254, subdivision (f). (*Haynie v. Superior Court* (2001) 26 Cal.4th 1061, 1069-1071.) Plaintiff fails to demonstrate the investigatory records exemption was waived under Government Code, section 6254.5. Additionally, the respondent court did not abuse its discretion in awarding sanctions against petitioner.

  
KRIEGLER, Acting P.J.

  
KUMAR, J.\*

\*Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

I agree in full with my colleagues reasons for denying the petition for writ of mandate. I write separately to add an observation. The records sought by petitioner are approximately 35 years old. Even our country's most highly classified records have been ordered automatically disclosed after a period of 25 years, barring some extraordinary reason to maintain their confidentiality. (See, e.g., Exec. Order No. 13526, 75 Fed.Reg. 707 (Dec. 29, 2009); Exec. Order No. 13292, 68 Fed.Reg. 15315 (Mar. 25, 2003).) The decision of whether to invoke the Government Code section 6254, subdivision (f) exemption belongs to Real Parties in Interest, but perhaps the further passage of time will allow for an evaluation of whether some additional voluntary disclosure can be made.

A handwritten signature in black ink that reads "Baker". The signature is written in a cursive style with a large, prominent initial "B".

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BAKER, J.