



LAW OFFICE OF JON B. EISENBERG

February 16, 2021

Chief Justice Tani Cantil-Sakauye and the Associate Justices
of the California Supreme Court
350 McAllister Street
San Francisco, CA 94102-4797

Dear Chief Justice and Associate Justices:

We write to urge the California Supreme Court to order a transfer of causes between the Courts of Appeal pursuant to rule 10.1000(a)(1)(C) of the California Rules of Court for the purpose of alleviating a critical backlog of long-pending appeals in the Court of Appeal for the Third Appellate District.

Attached is a partial list of fully briefed appeals in the Third Appellate District which have not yet been scheduled for oral argument or submitted for decision but have been pending for periods of time between nearly two years to more than five years since they became fully briefed. Of the 57 listed appeals, 42 are criminal cases and thus have calendar preference.

In the interests of justice, we respectfully suggest that the Court should transfer these appeals – or, alternatively, an equivalent number of other appeals in the Third Appellate District – among the other districts of the Courts of Appeal as this Court determines to be appropriate, for the purpose of ensuring that these long-pending appeals are adjudicated expeditiously.

Very truly yours,

Jon B. Eisenberg

Hon. Gary E. Strankman (ret.)

cc: The Honorable Tani Cantil-Sakauye
The Honorable Carol A. Corrigan
The Honorable Goodwin H. Liu
The Honorable Mariano-Florentino Cuéllar
The Honorable Leondra R. Kruger
The Honorable Joshua P. Groban
The Honorable Martin J. Jenkins

THIRD APPELLATE DISTRICT

Partial List of Cases Awaiting Decision but Not Yet Calendared

As of February 16, 2021

(Length of Time Fully Briefed; Criminal (CR) or Civil (CV))

1. C077197 5 years 5 months CR
2. C079211 5 years 3 months CR
3. C078368 5 years 2 months CR
4. C078249 4 years 10 months CV
5. C077279 4 years 9 months CR
6. C080572 4 years 6 months CV
7. C079704 4 years 5 months CR
8. C080074 4 years 3 months CR
9. C080296 4 years 2 months CR
10. C081210 4 years 2 months CR
11. C080762 4 years 2 months CV
12. C079577 4 years 1 month CV
13. C082202 3 years 11 months CR
14. C082461 3 years 11 months CR
15. C082454 3 years 10 months CR
16. C081690 3 years 10 months CR
17. C081332 3 years 10 months CR
18. C082558 3 years 10 months CR
19. C082998 3 years 10 months CR
20. C081371 3 years 9 months CR
21. C082070 3 years 8 months CR
22. C080976 3 years 8 months CR
23. C082846 3 years 8 months CV
24. C081115 3 years 7 months CV
25. C083696 3 years 7 months CR
26. C083364 3 years 7 months CR
27. C082028 3 years 7 months CR
28. C085176 3 years 4 months CV
29. C085017 3 years 1 month CR
30. C081843 3 years 0 months CR
31. C084385 3 years 0 months CR
32. C082871 2 years 11 months CR
33. C082451 2 years 11 months CR
34. C085171 2 years 11 months CR
35. C085067 2 years 10 months CR
36. C085500 2 years 9 months CR
37. C080269 2 years 8 months CR

38. C084559	2 years 7 months CV
39. C084682	2 years 7 months CV
40. C077490	2 years 6 months CR
41. C086215	2 years 4 months CV
42. C083652	2 years 3 months CR
43. C084192	2 years 3 months CR
44. C084177	2 years 2 months CR
45. C084561	2 years 2 months CR
46. C083719	2 years 1 month CV
47. C086061	2 years 1 month CV
48. C085161	2 years 1 month CV
49. C084183	1 year 11 months CR
50. C084401	1 year 11 months CR
51. C084090	1 year 11 months CR
52. C084075	1 year 11 months CR
53. C084401	1 year 11 months CR
54. C085042	1 year 11 months CV
55. C084227	1 year 10 months CR
56. C084385	1 year 10 months CR
57. C085128	1 year 10 months CV