

05/08/2026

By: T. Mercadel Deputy

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 6 *Attorneys for Respondents*  
*California Fish & Game Commission, et al.*

*Exempt from fees*  
*Pursuant to Gov. Code, § 6103*

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO

**PATRICK SMOTHERMAN WRIGHT,**

Petitioner,

v.

**CALIFORNIA FISH AND GAME  
 COMMISSION; CALIFORNIA  
 DEPARTMENT OF FISH AND  
 WILDLIFE; and DOES 1-20,**

Respondents.

Case No. 26WM000073

**NOTICE OF HEARING ON DEMURRER  
 AND DEMURRER OF RESPONDENTS  
 CALIFORNIA FISH AND GAME  
 COMMISSION AND CALIFORNIA  
 DEPARTMENT OF FISH AND  
 WILDLIFE**

Date: October 2, 2026

Time: 11:00 a.m.

Dept: 16B

Judge: The Honorable Shelleyanne  
W.L. Chang

Trial Date: None

Action Filed: March 17, 2026

1           **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:** Please take notice that  
2 on October 2, 2026, at 11:00 a.m. or as soon thereafter as the matter may be heard in Department  
3 16B of the above-entitled court, located at 500 G Street, Sacramento, CA 95814, respondents, the  
4 California Fish and Game Commission (Commission) and the Department of Fish and Wildlife  
5 (Department) demur to certain causes of action in the petition of Patrick Wright (Petitioner),  
6 pursuant to Code of Civil Procedure section 430.10, subdivision (e) and California Rule of Court,  
7 rule 3.1320, on the following grounds:

- 8           1. Respondents demur to the first cause of action on the basis that Petitioner did not state  
9 facts sufficient to constitute a cause of action. (Code Civ. Proc., § 430.10, subd. (e).)  
10           Petitioner did not identify a mandatory duty held by either respondent under  
11           Government Code section 11340.7.
- 12           2. The Department demurs to the first cause of action on the basis that Petitioner did not  
13 state facts sufficient to constitute a cause of action. (Code Civ. Proc., § 430.10, subd.  
14 (e).) Petitioner did not allege that the Department has a mandatory duty or the authority  
15 to take action under Government Code section 11340.7.
- 16           3. Respondents demur to the second cause of action on the basis that the pleading is  
17 uncertain. (Code Civ. Proc., § 430.10, subd. (f).) The petition is so uncertain and  
18 ambiguous that respondents cannot respond to the allegations or prepare the record of  
19 proceedings.

20           Respondents' demurrer is based on this notice of demurrer, the memorandum of points and  
21 authorities in support of demurrer, the declaration of Deputy Attorney General Margaret V. Tides,  
22 the accompanying request for judicial notice, the pleadings and records of this action, and any  
23 such evidence or argument as may be presented at or before the hearing.

24           Pursuant to Local Rule 1.05, the Court will make a tentative ruling on the merits of this  
25 matter by 2:00 p.m., two court days before the hearing. The complete text of the tentative ruling  
26 may be accessed on the public portal. If the party does not have online access, they may call the  
27 dedicated phone number for the department as referenced in the local telephone directory and  
28

1 receive the tentative ruling. If you do not call the Court and the opposing party by 12:00 p.m. the  
2 court day before the hearing, no hearing will be held.

3 Dated: May 8, 2026

Respectfully submitted,

4 ROB BONTA  
Attorney General of California  
5 SIERRA S. ARBALLO  
Supervising Deputy Attorney General  
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8 MARGARET V. TIDES  
Deputy Attorney General  
9 *Attorneys for Respondents*  
10 *California Fish & Game Commission, et al.*

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