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SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 01 2026

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10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 IN AND FOR THE COUNTY OF RIVERSIDE

12 IN RE APPLICATION OF MEDIA
COALITION TO UNSEAL SEARCH
13 WARRANT MATERIALS PERTAINING
TO NOVEMBER 2025 SPECIAL
14 ELECTION INVESTIGATION.

**Search Warrant Nos. RI020920262,
RI022320261, RI031920261**

**NOTICE OF MOTION AND MOTION BY
MEDIA COALITION TO UNSEAL
JUDICIAL RECORDS; MEMORANDUM OF
POINTS AND AUTHORITIES IN SUPPORT**

[Declaration of Nicholas R. Hartmann in Support
of Media Coalition's Motion to Unseal; and
Exhibits A-J filed concurrently]

Judge: Hon. Jay Kiel
Date: TBD
Time: TBD
Department: 32

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23 PLEASE TAKE NOTICE that as soon as counsel may be heard at a date and time to be set
24 by the Court, in Department 32 of the above-entitled Court, located at 4100 Main Street, Riverside,
25 CA 92501, American Broadcasting Cos., Inc. d/b/a ABC News; California Newspapers Partnership,
26 a Delaware corporation; CalMatters; CBS Broadcasting Inc. o/b/o KCBS-TV; Fox Television
27 Stations, LLC; Inland Empire Publications d/b/a *The Riverside Record*; KCRA/KQCA, a Division
28 of Hearst Stations Inc.; Los Angeles Television Station KCAL LLC d/b/a KCAL-TV; Los Angeles

1 Times Communications LLC; NBCUniversal Media, LLC; The New York Times Company; San
2 Francisco Chronicle, a Division of Hearst Communications, Inc.; and USA TODAY Co.
3 (hereinafter, the “Media Coalition”), will and hereby do seek a court order unsealing documents and
4 records of the court relating to the Riverside County Sheriff’s Office November 2025 Special
5 Election Investigation. The Media Coalition seeks all documents and records relating to the
6 February 9, 2026, February 23, 2026, and March 19, 2026, search warrants,¹ including, but not
7 limited to, any supporting probable cause statements or affidavits, and inventory lists and returns, as
8 well as any other judicial records in this matter, including any motions, briefing, transcripts, or
9 orders, or other records relating to the search warrants.

10 This Motion is made on the following grounds.² *First*, pursuant to California Penal Code
11 § 1534(a), documents and records of the court relating to search warrants “shall be open to the
12 public as a judicial record” ten days after issuance. *Second*, pursuant to the California Constitution,
13 the common law, and California Rule of Court 2.550, judicial records are presumptively open and
14 cannot be sealed absent specific, on-the-record findings that there is an overriding interest that
15 overcomes the right of public access to the records. To the Media Coalition’s knowledge, no such
16 findings have been made here. For these reasons, the Media Coalition respectfully requests that the
17 Court make immediately available to the public all documents and records relating to the Riverside
18 County Sheriff’s Office November 2025 Special Election investigation.

19 This Motion is based upon the attached Memorandum of Points and Authorities, the
20 Declaration of Nick Hartmann and Exhibits A through J hereto, on all pleadings, records, and files
21 in this matter, on all matters of which judicial notice may be taken, and on argument and evidence
22 presented at the hearing on this Motion.

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25 _____
26 ¹ Search Warrant Nos. RI020920262, RI022320261, RI031920261, respectively.

27 ² California courts have recognized that the public and press have standing to challenge any limits on
28 their access to court records, and that they must be provided an opportunity to be heard even before
such orders are issued. *See NBC Subsidiary (KNBC-TV), Inc. v. Superior Court*, 20 Cal. 4th 1178,
1217-18 (1999).

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DATED: April 1, 2026

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By:  _____
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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. SUMMARY OF ARGUMENT**

3 The proceedings in this Court concern unprecedented facts relating to challenges to the
4 results of the November 2025 Special Election—challenges largely aired in public at every level
5 of this State’s judiciary, in meetings, and in a press conference. The one exception is the
6 proceedings here, which have progressed entirely in secret. The law prohibits such secrecy.

7 The dispute over the integrity of the Special Election is replete with competing allegations.
8 The Riverside Registrar of Voters contends that its election results are highly accurate. The
9 Riverside Election Integrity Team (“REIT”), a local community group, vigorously disagrees. It
10 contends that an unexplainable disparity of some 45,000 votes exists. The Sheriff’s Office
11 launched an investigation (the “Investigation”) into this contention, obtained three search warrants
12 for ballot materials, and assured the public that the Investigation will bolster public confidence in
13 the results. The California Attorney General’s Office disagrees. It contends that the Investigation
14 is causing irreparable harm to public confidence. Meanwhile, another group of Riverside voters
15 has asked the Supreme Court of California to end the Investigation. It fears that the Investigation,
16 which is shrouded in secrecy, undermines the California Legislature’s careful judgments regarding
17 election administration and that elections be conducted with full public transparency.

18 The Media Coalition takes no position on the merits of these legal arguments. Whoever is
19 right, the law is clear that the documents and records relating to the search warrants must be made
20 public. Penal Code Section 1534(a) requires that “documents and records of the court relating to
21 the warrant . . . shall be open to the public as a judicial record” after the execution and return of
22 the warrant *or* after ten days of its execution. (Emphasis added). There is no ongoing investigation
23 exemption to this requirement, and courts have otherwise recognized only narrow exceptions to
24 the Legislature’s policy judgment that search warrants be presumptively open to the public. *PSC*
25 *Geothermal Services Co. v. Superior Court*, 25 Cal. App. 4th 1697, 1714 (1994). Indeed, even in
26 the unusual circumstances where certain information may legitimately be redacted, a court should
27 take all action “necessary to ensure full public disclosure of the remainder” of the records. *People*
28 *v. Hobbs*, 7 Cal. 4th 948, 971 (1994).

1 Here, ten days have elapsed since issuance of the search warrants in this matter. *See*
2 Declaration of Nick Hartmann (“Hartmann Decl.”), Ex. A at 5, 13, 39. As a result, and consistent
3 with Penal Code Section 1534(a), all documents and records of the court relating to the warrants
4 must be made public. On this basis alone, the Court should promptly unseal the records here.

5 The only basis for keeping this material under seal despite the Penal Code’s command
6 appears to be the sealing orders issued contemporaneously with the search warrants pursuant to
7 Evidence Code Sections 1040, *et seq.* That part of the Evidence Code protects against the
8 disclosure of privileged official information or confidential source information. Cal. Evid. Code
9 §§ 1040, *et seq.* But those sealing orders cannot support wholesale, continued sealing. **First**,
10 considering subsequent public disclosures about the Investigation, it is entirely unclear what, if
11 any, remaining non-public information could justify blanket sealing. Indeed, it was the Sheriff’s
12 Office that publicly disclosed at a press conference the Investigation, one of its sources, its
13 purpose, its target, its evidence, and more. **Second**, even if some privileged information remained,
14 the Sheriff’s Office cannot demonstrate that the interest in maintaining that information under seal
15 outweighs the public’s interest in a full and transparent understanding of this Investigation. As
16 Sheriff Chad Bianco has himself argued: denying “transparency” in our election system “fosters a
17 sense of corruptness” in public officials. *Election Fraud Investigation Press Conference*, Riverside
18 County Sheriff, YouTube (Mar. 20, 2026) (“Press Conference”) at 4:49,
19 <https://www.youtube.com/watch?v=Lo6ir8fEULI>. **Third**, even if the interest in confidentiality
20 outweighed the interest in disclosure, this Court should still order the documents and records
21 disclosed with only limited redactions narrowly tailored to protect the privileged information.

22 Further, to the extent that the documents and records here extend beyond search warrant
23 materials to other judicial records, those records must be disclosed pursuant to the California
24 Constitution, the common law, and Rules of Court. The Sheriff’s Office has publicly suggested
25 that this Court is now overseeing the “counting” of ballots and is appointing a special master to
26 conduct that count. *See id.* at 3:13. Records of such proceedings are presumptively public records.
27 To movants’ knowledge, no motion or order to seal these documents has been made—nor could
28 such an order properly be made, considering prior public disclosures and the public’s interest here.

1 For these reasons, the Media Coalition respectfully requests that this Court unseal the
2 documents and records of the Court relating to the February 9, February 23, and March 19 search
3 warrants and any other judicial records concerning this matter without further delay.

4 **II. STATEMENT OF FACTS**

5 **A. Public Disputes Relating to the November 2025 Special Election**

6 On November 4, 2025, California held a special election on Proposition 50. If adopted, that
7 measure would require “new congressional district maps, as passed by the Legislature in August
8 2025, to be used in California’s congressional elections through 2030.” Hartmann Decl., Ex. B at
9 1. The Proposition was proposed in “response to Texas’ mid-decade partisan congressional
10 redistricting.” *Id.*, Ex. B at 1. Voters adopted Proposition 50, 7,453,339 to 4,116,998. *Id.*, Ex. C. In
11 Riverside County, results show 369,565 votes in favor and 286,995 votes opposed. *Id.*, Ex. D.

12 After the election, REIT conducted an audit of the results. *Id.*, Ex. E at 20. REIT believed,
13 based upon its review of public records, that a discrepancy between the number of votes cast and
14 counted existed. *Id.* REIT presented these results to the Registrar of Voters. *See Riverside Cnty.*
15 *Bd. of Supervisors Meeting Feb. 10, 2026*, RivCo TV, YouTube (Feb. 11, 2026) at 4:15:49,
16 <https://www.youtube.com/watch?v=RhzqeYHkhtU>. On February 10, 2026, the Registrar of Voters
17 Art Tinoco presented an election update to the Riverside County Board of Supervisors, which
18 included discussion of REIT’s audit. *See id.* at 4:10:58. According to Tinoco, REIT misunderstood
19 the nature of how ballots are counted and mistakenly compared raw ballots to good ballots cast.
20 *Id.* at 4:29:29. Applying the official standard, the Registrar’s Office identified a difference
21 between good ballots cast and ballots counted as only 103 ballots. *Id.* at 4:17:23. Tinoco’s
22 presentation and the public comment period stretched for over two hours. *Id.* at 4:10:58-6:31:24.
23 Members of REIT also spoke, identifying themselves by name. *See id.* at 5:15:08-6:31:24.
24 Representatives of the Sheriff’s Office were present at that meeting, as well. Hartmann Decl., Ex.
25 E at 21-22.

26 The day before that meeting and acting on reports from REIT, the Sheriff’s Office obtained
27 a search warrant for Registrar of Voters’ records. Hartmann Decl., Ex. E at 21-22; *see also* Press
28 Conference at 11:48. Two weeks later, the Sheriff’s Office obtained a second warrant, also for

1 Registrar of Voters’ records. Hartmann Decl., Ex. E at 22-23. Then, on February 25, after
2 coordinating with the Registrar, the Sheriff’s Office executed both warrants. *Id.*, Ex. E at 23. The
3 result was that the Sheriff’s Office seized “roughly 1,000 boxes of ballots” pursuant to these
4 warrants. *Id.*, Ex. E at 11. Or, as the Sheriff’s Office put it, it seized “all of the information from
5 the 2025 elections” in Riverside County. *See* Press Conference at 7:41. Thereafter, on March 19,
6 the Sheriff’s Office obtained a third warrant. Hartmann Decl., Ex. E at 27. Allegedly, that search
7 warrant “merely permitted the Sheriff to seize the same materials listed in the first and second
8 warrants.” *Id.*, Ex. F at 9. On March 24, 2026, the Sheriff’s Office executed the third warrant,
9 apparently seizing an additional 426 boxes of voting material. *Id.*, Ex. F at 3.

10 **B. Public Disputes Between the Attorney General’s Office and Sheriff’s Office**

11 On March 20, 2026, Bianco held a press conference. He had three goals: (1) to inform the
12 public of the Investigation, which was “based on information received from the group of citizen
13 volunteers who performed an audit based on public records from the [Registrar of Voters]”; (2) to
14 discuss alleged interference by Bonta’s Office; and (3) to ensure that elections are “secure, safe,
15 and accurate.” *See* Press Conference at 0:33. Bianco disclosed that the Sheriff’s Office served the
16 Registrar of Voters with a warrant “related to the 2025 special election.” *Id.* at 1:15. And, he
17 repeated allegations made by REIT. *Id.* at 1:31. Bianco also disclosed that a day earlier, on March
18 19, the Superior Court appointed a special master to conduct the recount. *Id.* at 3:13. Bianco also
19 took aim at Bonta, alleging that Bonta was interfering in the Investigation. *Id.* at 2:42. Bianco took
20 aim at the Legislature as well, lodging his disagreement with the Legislature’s policy decision,
21 memorialized in the Election Code, to destroy ballots six months after the elections. *Id.* at 4:36.

22 Bianco then took questions from reporters. First, answering whether the search warrants had
23 been filed with the Superior Court, Bianco said that they had and were currently under seal. *Id.* at
24 6:20, 6:29. He added that he was “working with the court” to decide on a special master for the
25 count after the court “technically” stopped the count. *Id.* at 6:36. In response to another question,
26 Bianco said simply, “We have everything from the 2025 election.” *Id.* at 7:50. Bianco also
27 disclosed that there remained additional information his Office was seeking, including “digital
28 information” it was “still getting from the Registrar of Voters.” *Id.* at 8:02. Later, he noted a

1 “team” of community volunteers had provided his Office with information. *Id.* at 11:34. Bianco
2 also fielded questions about the appearance of bias considering he was running for Governor,
3 which he denied. *Id.* at 10:35 (“I couldn’t care less what I’m doing in another election.”). When
4 posed a question that described the Attorney General as “more of a political activist than a
5 prosecutor,” Bianco agreed. *Id.* at 14:46. According to Bianco, Bonta was trying to stop the
6 Investigation, because Bonta was “happy with the outcome of last year’s special election.” *Id.*
7 Bianco also promised to provide reporters with the letters he received from Bonta’s Office and
8 later provided reporters unredacted copies thereof. *Id.* at 23:35; *see also* Hartmann Decl. ¶ 2.

9 Bonta took a different view. In a February 26, 2026, letter, Bonta expressed his concern that
10 the Investigation would “undermine public confidence in state elections.” Hartmann Decl., Ex. A
11 at 22. Bonta described the search warrant materials as identifying “no specific felony offenses.”
12 *Id.*, Ex. A at 21. He also said the warrant materials did not “identify particular persons” believed to
13 have committed a crime. *Id.*, Ex. A at 21. Bonta additionally alleged that there appeared to be
14 “omissions of material facts” from the affidavits that may have interfered with the Court’s
15 “inference-drawing process” in considering whether to issue the warrants. *Id.*, Ex. A at 21. And,
16 he doubted the findings of REIT. *Id.*, Ex. E at 21.

17 Bonta then directed Bianco to preserve all ballots and related materials and otherwise pause
18 further action. *Id.*, Ex. A at 22. Bonta, however, alleged that Bianco’s office ignored his directives
19 and continued with its “unacceptable” recount. *Id.*, Ex. A at 24. Despite requests for the case file
20 relating to the Investigation, Bonta contended that the Sheriff’s Office never fulfilled that or any
21 other requests. *Id.*, Ex. E at 27. Bonta also asserted that despite Bianco’s representations he was
22 standing down, Bianco did the opposite: subsequently applying for and receiving the third warrant
23 for voter materials. *Id.*, Ex. E at 27-28. That warrant too, Bonta’s Office asserted, failed to identify
24 particular crimes or persons believed to have committed such crimes. *Id.*, Ex. E at 28.

25 As a result, the Attorney General’s Office filed a petition for writ of mandate in the Court of
26 Appeal. *See generally id.*, Ex. E. There, it requested an order requiring Bianco to follow its
27 directives and quashing the third warrant. *Id.*, Ex. E at 14. Bonta alleged that he had “grave
28 concerns about the legal sufficiency” of the warrants as well as the “negative impact on public

1 confidence” in the election. *Id.*, Ex. E at 11.³ After the Court of Appeal denied the petition on
2 procedural grounds, the Attorney General’s Office filed a similar one in the Superior Court,
3 repeating its claims. *See generally id.*, Ex. F; *see also id.*, Ex. F at 2 (characterizing Bianco’s
4 Investigation as “sweeping and unprecedented” and based on “reports from a local group whose
5 claims were publicly debunked”). Contemporaneously with filing the petition, the Attorney
6 General’s Office also filed an unopposed *ex parte* application to seal based on the prior sealing of
7 the three warrants. *Id.*, Ex. G. On March 30, the Superior Court granted that application. *Id.*, Ex. J.

8 Finally, on March 27, 2026, the Attorney General filed a petition for review in the Supreme
9 Court. *Id.*, Ex. H. Recognizing its pending petition before the Superior Court, the Attorney
10 General’s Office asserted that emergency appellate review was necessary given the “extraordinary
11 circumstances” presented and the importance of the issues. *Id.*, Ex. H at 8-9. Because of the
12 sealing orders in this matter, the Attorney General’s Office’s petition in the Supreme Court
13 contains multiple redactions. *Id.*, Ex. H at 13, 14, 25. These proceedings remain pending.

14 **C. Riverside Voters’ Petition in the Supreme Court of California**

15 On a separate track, a group of Riverside voters also challenged the Investigation. On
16 March 25, 2026, the group filed a petition in the Supreme Court seeking an order directing the
17 Sheriff’s Office to comply with existing election laws. *See generally id.*, Ex. I. According to the
18 voters, the Investigation raises “critical issues regarding our democracy and election integrity,”
19 because, among other things, it is being conducted “without any transparency over the chain of
20 custody, handling, and counting” of ballots. *Id.*, Ex. I at 7-8. Specifically, the voters argued that
21 the Legislature adopted a set of “carefully prescribed” rules and regulations based on two
22 “critical” principles: administration of elections (1) by qualified and sworn election officials (2)
23 who perform their duties “with full public transparency.” *Id.*, Ex. I at 6. However, “the fate of the
24 election materials [Bianco] seized is cloaked in secrecy,” putting the privacy of their ballots and
25 the validity of a recount at risk. *Id.*, Ex. I at 6-7. The voters also questioned the validity of REIT’s
26 audit and its outcome, observing that the audit was “conducted outside the confines and process

27 _____
28 ³ The Attorney General’s Office expressed seeming confusion about the extent of sealing. *Id.*, Ex.
E at 29.

1 set out” by the Legislature. *Id.*, Ex. I at 10-11. According to these voters, analysis of the last five
2 Riverside County elections has shown that vote totals are accurate. *Id.*, Ex. I at 11.

3 Among their many concerns, the voters also challenged the secrecy of proceedings in this
4 Court. These proceedings, they contended, “have occurred with secrecy and without notice and
5 opportunity to be heard,” including by voters who “have a personal stake in the integrity of the
6 seized election materials.” *Id.*, Ex. I at 14. For example, while the Sheriff’s Office has publicly
7 disclosed that a special master would be appointed to manage the recount, that person is
8 “unknown to the public.” *Id.*, Ex. I at 14-15. And, “none of the public inspection requirements” in
9 the Election Code are currently being observed. *Id.*, Ex. I at 15. These voters also raised the
10 specter of bias. They contended that the Investigation may be politically motivated as Bianco is
11 running for the Governor’s office. *Id.*, Ex. I at 32. They also raised concerns regarding the
12 issuance of the warrants, noting that Superior Court Judge Jay Kiel was endorsed by Bianco and
13 that Judge Kiel has endorsed Bianco in his run for the Governor’s Office. *Id.*, Ex. I at 15.

14 **III. LEGAL ANALYSIS**

15 The public should not be forced to navigate these competing allegations without the facts
16 on which the Investigation is based. Nor does the law require them to. Not only must the search
17 warrant materials be disclosed, all judicial records regarding this matter must be unsealed
18 consistent with the California Constitution, the common law, and Rules of Court.

19 **A. Penal Code Section 1534(a) Mandates Search Warrant Materials Be Public.**

20 First, the documents and records relating to the search warrants must be unsealed consistent
21 with Penal Code requirements. Penal Code Section 1534(a) provides that all “documents and
22 records of the court relating to the [search] warrant . . . *shall be open to the public as a judicial*
23 *record*” after “the expiration of the 10-day period after issuance.” (Emphasis added). Because ten
24 days have elapsed since issuance of the warrants here, the warrant materials must be disclosed.

25 Indeed, courts have recognized only limited exceptions to this rule, including pursuant to
26 Evidence Code Sections 1040 and 1041, and neither can support continued sealing here. The
27 leading decision is *People v. Hobbs*, 7 Cal. 4th 948. There, the Supreme Court considered a
28 defendant’s request to unseal search warrant materials. It first found that the “codified privileges

1 and decisional rules” of Evidence Code Sections 1040 and 1041 “comprise an exception to the
2 statutory requirement” that such materials “become a public record once the warrant is executed.”
3 *Id.* at 962. In *Hobbs*, Section 1041 applied. As the Court explained, the case involved “the inherent
4 tension between the public need to protect the identities of confidential informants,” as embodied
5 in Evidence Code Section 1041, “and a criminal defendant’s right of reasonable access to
6 information upon which to base a challenge to the legality of a search warrant.” *Id.* at 957.

7 To accommodate those competing interests, the Court ordered the trial court to conduct an
8 *in camera* review to determine whether the material contained confidential source information and
9 whether there were “sufficient grounds” for maintaining that information as confidential. *Id.* at
10 972. It then directed the court to decide the extent of sealing justified to protect confidentiality
11 interests. *Id.* Specifically, courts must “take whatever further actions may be necessary to ensure
12 full public disclosure of the remainder of the [search warrant] affidavit.” *Id.* at 971 (emphasis
13 added). In other words, redaction—not sealing—is the appropriate means of protecting a
14 confidential informant’s identity. *Id.* at 963 (“Any portions of the sealed materials which, if
15 disclosed, would not reveal or tend to reveal the informant’s identity must be made public . . .”).

16 Soon after *Hobbs*, the Court of Appeal in *PSC Geothermal* addressed the sealing of warrant
17 materials in the context of privileged official information. First, it rejected the argument that a
18 prosecutor’s desire to protect an ongoing investigation overcame Section 1534(a)’s public
19 disclosure rule: “[t]here is no exception in [Penal Code § 1534(a)] for instances . . . where the
20 search [warrant] is used to further an ongoing investigation.” 25 Cal. App. 4th at 1714. Next, it
21 considered the official information privilege. Applying *Hobbs*, the Court of Appeal agreed that the
22 party claiming the privilege must show that the privilege applies—*i.e.*, that the information was
23 obtained in confidence by a public employee and that disclosure would be against the public
24 interest—and that sealing is not overbroad. *Id.* at 1714-15 (emphasizing the importance of “sealing
25 only that portion which might be found . . . to be official information”).

26 The long and short of *Hobbs* and *PSC Geothermal* is this: search warrant materials must be
27 disclosed ten days after issuance *unless* the party seeking sealing can demonstrate (1) that the
28 warrant material contains the identity of an informant or privileged official information, (2) that

1 the necessity for withholding “outweighs the necessity for disclosure,” and (3) that the proposed
2 sealing is no greater than necessary to protect the asserted interest in confidentiality. *Hobbs*, 7 Cal.
3 4th at 960, 971-72; *PSC Geothermal*, 25 Cal. App. 4th at 1713-15 & n.15.

4 Applying this test, courts have found the presumption of access to search warrant materials
5 overcome only in limited circumstances. In *EFF v. Superior Court*, for example, a non-profit
6 sought eight search warrant packets relating to its research into law enforcement use of cell-site
7 simulators. 83 Cal. App. 5th 407, 415 (2022). The county did not object to the complete unsealing
8 of one packet. *Id.* But it did oppose unsealing of “portions of the seven other warrant packets.” *Id.*
9 (emphasis added). Specifically, the county sought to seal the returns as each contained “sensitive
10 information” about confidential sources as well as privileged official information, but it
11 nevertheless provided the non-profit with 40 of the 120 pages of warrant packets. *Id.* The county
12 then moved for judgment on the remaining withheld 80 pages. *Id.* The Court of Appeal sided with
13 the County. It “thoroughly reviewed the *Hobbs* affidavits” and found that the trial court reasonably
14 found that confidential sources or privileged official information was implicated. *Id.* at 421-22. It
15 also found that the non-profit’s purported need for the information—“to learn more about the
16 Sheriff’s use of cell-site simulators”—did not outweigh the interest in protecting the privileged
17 information. *Id.* at 422. Finally, it found it could not redact the privileged information from search
18 warrants because “[b]enign information [was] inextricably intertwined with prejudicial
19 information.” *Id.* at 429 (quoting *People v. Jackson*, 128 Cal. App. 4th 1009, 1026 (2005)).⁴

20 Penal Code Section 1534(a) requires disclosure here. As noted, ten days have passed since
21 issue of each of the warrants, requiring that the warrant materials “be open to the public as a
22 judicial record.” Cal. Penal Code § 1534(a). Therefore, unless an exception applies, the materials
23 must be made public. Nor does any exception apply on these facts. Even though the Court initially
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25 ⁴ To support its blanket rule, the Court of Appeal relied principally on *People v. Jackson*, a case
26 self-described by that Court as “*sui generis*.” *Id.* at 1014. Indeed, unlike here, that case was dictated
27 by a unique combination of entertainer Michael Jackson’s celebrity status, the nature of the 82-page
28 affidavit that contained “graphic and detailed descriptions of Jackson’s alleged sexual misconduct
with two minors,” the extreme prejudice to fair trial rights should that information be disclosed, and
the jeopardy to the ongoing criminal investigation as evidenced by the government’s issuance of 65
additional warrants soon after the indictment. *Id.* at 1023-24.

1 sealed this material pursuant to Evidence Code Sections 1040, *et seq.*, Hartmann Decl., Ex. A at 5,
2 13, 39, those provisions of the Evidence Code almost certainly cannot support continued sealing
3 of the materials at this point in time for at least three reasons.

4 **First**, the Sheriff’s Office cannot demonstrate, in light of the public disclosures relating to
5 this matter, that any privileged information remains to be protected. Prior disclosure matters
6 because protections for this privileged information are limited by their purpose: once the protected
7 information is made public, “the privilege is no longer applicable.” *Hobbs*, 7 Cal. 4th at 958. Since
8 the issuance of the third warrant, the Sheriff’s Office has held a press conference acknowledging
9 the existence of its Investigation. *See supra* Part II.B. The press and the public now know: (1) the
10 entity that reported the alleged election disparity (REIT); (2) when the search warrants were issued
11 (February 9, February 23, and March 19); (3) when the search warrants were executed (in the case
12 of the February warrants, on February 25, and, in the case of the March warrant, on March 24); (4)
13 on whom the search warrants were executed (the Registrar of Voters); (5) what evidence was
14 seized (boxes of votes and related digital information); (6) how much evidence was seized
15 (approximately 1,426 boxes); (7) which law enforcement entity seized it (the Sheriff’s Office); and
16 (8) why the evidence was seized in the first place (allegations of a 45,896 vote disparity). The
17 Sheriff’s Office even provided reporters unredacted copies of letters filed partially redacted here.
18 Hartmann Decl. ¶ 2. Other information underlying the controversy in this case has played out in
19 public too. The Registrar of Voters has made detailed, public presentations relating to its voting
20 procedures and the alleged disparity. *See supra* Part II.A. Members of REIT have also publicly
21 discussed their allegations, including at a public Board of Supervisors meeting. *See id.* Finally, the
22 Attorney General’s Office has disseminated in public letters and public filings still more
23 information about the Sheriff’s Office’s investigation, including what amounts to a day-by-day
24 timeline of it. *See, e.g.*, Hartmann Decl., Ex. A at 21-22, 24-25, 29-30; *see generally id.*, Ex. H.

25 **Second**, even if there was some remaining privileged information, it would not justify the
26 wholesale sealing of the search warrant materials for at least two reasons. Initially, the interests in
27 protecting that information are outweighed by the public’s interest in understanding the integrity
28 of the November 2025 Special Election. *See* Evid. Code §§ 1040(a)(2), 1041(a)(2) (requiring

1 courts to balance competing interests). Indeed, the one thing that REIT, the Sheriff’s Office, the
2 Attorney General’s Office, and the Riverside voters agree on is that the public’s confidence in
3 election integrity is central to democratic self-governance. *See, e.g.*, Hartmann Decl., Ex. E at 36
4 (characterizing the issues as “of grave public importance”); *id.*, Ex. I at 7 (“critical”); Press
5 Conference at 3:55 (“alarming”). As the Supreme Court said, “the integrity of elections [is]
6 essential to the very preservation of a free society.” *Canon v. Justice Court*, 61 Cal. 2d 446, 452-
7 53 (1964). It is hard to imagine a stronger public interest: access to a proceeding purporting to
8 resolve allegations relating to election integrity—allegations at the heart of our democracy.

9 That interest is especially acute here because of the allegations that have defined this
10 controversy. On the one hand, the Riverside County Sheriff’s Office asserts that its Investigation
11 is intended to “assure Riverside County residents that we are committed to ensuring our elections
12 are secure, safe, and accurate.” *See* Press Conference at 0:33. And, it contends that the Attorney
13 General’s Office’s conduct is motivated by politics rather than regular procedure. *See id.* at 7:14.
14 On the other hand, the Attorney General’s Office contends that the Investigation is what puts at
15 risk the public trust. Hartmann Decl., Ex. E at 37-38. Furthermore, the Attorney General’s Office
16 contends that it is the Sheriff’s Office that is proceeding outside of regular procedure, asserting
17 that the search warrants are “legally deficient” and accusing the Sheriff’s Office of ignoring a
18 superior law enforcement officer’s exercise of authority. *See, e.g.*, Ex. E at 14-15, 46, 51.

19 Unsurprisingly, in light of these competing allegations, including allegations relating to the
20 lawfulness of the Investigation and the warrants specifically, and without the underlying facts in
21 the form of the search warrant materials, voters too disagree about who, if anyone, is at fault here.
22 *See supra* Parts II.A & II.C. The entire purpose of the right of access is to prevent the public from
23 having to guess about what occurs in its courts. *Estate of Hearst*, 67 Cal. App. 3d 777, 784 (1977)
24 (“If public court business is conducted in private, it becomes impossible to expose corruption,
25 incompetence, inefficiency, prejudice, and favoritism.”). Under the law, the public has a right to
26 assess these competing narratives on the facts—not on public officials’ say so.

27 Crucially, here, were there any doubt about the importance of transparency, it is dispelled
28 by the Elections Code. This State’s Voter Bill of Rights makes clear that citizens have the “right to

1 ask questions about election procedures *and observe the election process.*” Cal. Elec. Code §
2 2300(9)(A) (emphasis added). It also imposes duties on election officials to conduct certain affairs
3 before the public. For example, Elections Code Section 15201 requires that precinct boards “in the
4 presence of the public” “[c]ertify, sign, and seal” containers for ballots. Elections Code Section
5 15204 requires proceedings at the counting place “be open to the view of the public.” Elections
6 Code Sections 15629, 15640, and 15647 require recounts to be conducted in public. *See also* Cal.
7 Elec. Code § 2301(a) (requiring access for international observers). Whatever interest there may
8 be in preserving the confidentiality of a source or official information in other cases, in this case
9 that interest is far outweighed by the public’s right of access to information about the vote.

10 ***Third and finally***, even if the search warrant materials contain privileged information that
11 can properly be sealed, the protection of that information can be accommodated through narrow
12 redactions. *PSC Geothermal*, 25 Cal. App. 4th at 1714-15. In *PSC Geothermal*, for example, the
13 Court of Appeal expressed its doubt that complete sealing would be appropriate where the
14 government objected to disclosure of just one sentence. *Id.* at 1715. And, in *EFF*, while the Court
15 of Appeal found against additional unsealing as privileged information was inextricably
16 intertwined with non-privileged information, that was only *after* the parties negotiated the release
17 of a third of the search warrant materials sought. 83 Cal. App. 5th at 415, 429. Here, however, the
18 entire substance of the materials remains under seal and out of sight of the public. Such wholesale
19 sealing is not allowed.

20 Because Section 1534(a) mandates that the warrant materials shall be made public after the
21 statutory time period has elapsed and because no exception applies, this Court should unseal the
22 documents and records relating to the search warrants without further delay.

23 **B. The Presumption of Public Access to Judicial Proceedings and Records**
24 **Independently Justifies Disclosure of the Records**

25 The records filed in this proceeding, including any orders, briefing, transcripts, and search
26 warrant materials, are independently subject to disclosure pursuant to the California Constitution,
27 the common law, and Rules of Court 2.550 and 2.551. Indeed, while this matter may have begun
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1 as a search warrant application, it has seemingly extended beyond that. The public has a right of
2 access not only to the search warrant materials but also other judicial records filed in this matter.

3 “Public policy requires public records and documents to be available for public inspection
4 to prevent secrecy in public affairs.” *Copley Press, Inc. v. Superior Court*, 63 Cal. App. 4th 367,
5 373 (1998). This long-standing principle guards against public mistrust that secret proceedings
6 sow. *Id.* Judicial records are, therefore, “available to the public in general, including news
7 reporters, unless a specific exception makes specific records nonpublic.” *Id.* Such cases are rare:
8 courts have only “limited power” to circumscribe access. *Id.* (citation omitted); *see also In re*
9 *Shortridge*, 99 Cal. 526, 530 (1893) (“[I]t is a first principle that the people have the right to know
10 what is done in their courts.”). With the passage of Proposition 59, the right of access to public
11 records and the writings of public officials, including court records, is expressly incorporated into
12 the California Constitution, Article I, Section 3(b).⁵ *Cf. Sierra Club v. Superior Court*, 57 Cal. 4th
13 157, 175 (2013) (noting that in the face of ambiguity, courts must interpret statutes and rules “in a
14 way that maximizes the public’s access to information” absent contrary direction).

15 Sealing procedures are codified in Rules of Court 2.550 and 2.551. Under those provisions,
16 judicial records are “presumed to be open” to the public. Cal. Rule of Ct. 2.550(c). “Records”
17 include “any document, paper, exhibit, transcript, or other thing filed or lodged with the court.”
18 Cal. Rule of Ct. 2.550(b)(1). Moreover, Penal Code Section 1534(a) defines post-execution search
19 warrant documents as “public . . . judicial record[s].” A court cannot seal a judicial record without
20 first finding: (1) that an overriding interest supports sealing; (2) that a substantial probability exists
21 that the interest will be prejudiced absent sealing; (3) that the sealing is narrowly tailored to serve

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24 _____
25 ⁵ The Court in *EFF* found that petitioner did not have a right to search warrant affidavits under
26 Article I, Section 3(b), because that provision preserved existing exceptions to access. 83 Cal. App.
27 5th at 430. As explained *supra*, the exceptions in the Evidence Code do not apply here or, if they
28 do, are overcome. *See supra* Part III.A. Thus, Article I, Section 3(b) applies. *See* 83 Cal. App. 5th
at 430 (noting that the court must interpret access provisions “broadly to further the public’s right
of access”). Along the same lines, *EFF* found that Rule 2.550 did not apply to search warrant
materials in that case based again on the privileged-information exceptions of the Evidence Code.
Id. at 422-23. Again, however, those provisions do not control here. *See supra* Part III.A.

1 the overriding interest; and (4) that no less restrictive means exist to achieve the identified
2 overriding interest. Cal. Rule of Ct. 2.550(d).⁶

3 Records must be filed publicly absent a court order to the contrary. Cal. Rule of Ct.
4 2.551(a); *see also id.* (noting that courts “must not permit a record to be filed under seal based
5 solely upon the agreement or stipulation of the parties.”). The burden is on the party seeking
6 sealing to make the requisite showing. Cal. Rule of Ct. 2.551(b)(1). That party “*must file a noticed*
7 *motion* for an order sealing the record.” *Id.* (emphasis added). That motion “must be accompanied
8 by a memorandum of points and authorities and a declaration containing facts sufficient to justify
9 the sealing.” *Id.* A court may only grant such a motion after “[s]pecifically stat[ing] the facts that
10 support the findings,” and “[d]irecting the sealing of only those documents and pages, or, if
11 reasonably practicable, portions of those documents and pages, that contain the material that needs
12 to be placed under seal.” Cal. Rule of Ct. 2.550(e)(1). All other documents or portions thereof
13 “*must be included* in the public file.” Cal. Rule of Ct. 2.550(e)(1)(B) (emphasis added).

14 Here, to the Media Coalition’s knowledge, no motion has been made to maintain under seal
15 the entirety of this Court’s docket in this matter—whether the search warrants themselves, the
16 accompanying affidavits, or any other briefing and orders. Absent such a motion, the records in
17 this case must be made public. Cal. Rule of Ct. 2.551(a). To be sure, it appears that the Court
18 ordered at the time of the issuance of the warrants that the search warrant materials be sealed
19 pursuant to the Evidence Code. *See Hartmann Decl., Ex. A* at 5, 13, 39. As explained above,
20 however, the Evidence Code cannot support the *continued* sealing of those materials in light of the
21 highly publicized disclosures in this matter. *See supra* Part III.A. The vast majority of this dispute
22 has played out in public—before the Board of Supervisors, before cameras at a press conference
23 called by the Sheriff’s Office, and in judicial filings at every level of this State’s Judiciary. It is
24 hard to imagine a basis for sealing under the Evidence Code—not least after the Sheriff’s Office
25 described its Investigation, the warrants themselves, and these proceedings in a press conference.

26 ⁶ The *EFF* Court rejected a First Amendment access right finding that there is no “long-standing
27 *national* tradition” of access to search warrants. 83 Cal. App. 5th at 424. That finding, however,
28 does not resolve the question of whether there is a right of access pursuant to *California* law nor
would it apply to records in this Court relating not to the warrant materials but rather the recount.

1 In any event, even if the entirety of the search warrants and accompanying affidavits could
2 be subject to continued sealing, this proceeding has gone beyond the issuance of warrants to
3 providing judicial oversight of an election recount. According to Bianco, for example, this Court is
4 now supervising the recount and intends to or has already appointed a special master to undertake
5 the recount. *See* Press Conference at 3:13. The public has a right of access to any such filings,
6 including the order referenced by Bianco, relating to this recount under California’s Constitution,
7 common law, and Rules of Court.

8 While it is not the Media Coalition’s burden to demonstrate that sealing is improper, there
9 appears to be no justification whatsoever for *blanket* sealing in this case. Even if some overriding
10 interest in sealing does exist despite the public disclosures relating to this matter, those interests
11 could be accommodated through narrowly tailored redactions. To qualify as “narrowly tailored,” a
12 sealing order may shield from public view only the *specific information* that, if disclosed, would
13 prejudice the overriding interest at issue, not the entire document. *See, e.g., In re Marriage of*
14 *Burkle*, 135 Cal. App. 4th 1045, 1067 (2006) (approving limited redactions, not sealing, of court
15 records). “Access, rather than confidentiality, is the default.” *In re Marriage of Tamir*, 72 Cal.
16 App. 5th 1068, 1086 (2021). For all these reasons, the Media Coalition requests that the Court
17 promptly enter an order requiring the unsealing of the judicial records in this case.

18 **IV. CONCLUSION**

19 By enacting Penal Code Section 1534(a), the Legislature has dictated that search warrant
20 materials “shall be open to the public as a judicial record.” Courts have respected this legislative
21 mandate and have recognized only narrow exceptions. Because any interest in protecting
22 privileged information—to the extent it exists at all—can be protected through appropriate
23 redaction, the documents and records relating to the search warrants must be released.

24 California’s Constitution, common law, and Rules of Court separately require disclosure not
25 only of the search warrant materials but also any related judicial records in this matter. Because no
26 motion or on-the-record findings appear to have ever been made to justify the continued sealing of
27 these materials, these materials are presumptively public and should promptly be filed on the
28 public docket.

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DATED: April 1, 2026

JASSY VICK CAROLAN LLP

By:  _____

JEAN-PAUL JASSY
MATTHEW L. SCHAFER*
(pro hac vice forthcoming)
NICHOLAS HARTMANN

Attorneys for Media Coalition

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of
4 eighteen years and not a party to this action. My business address is 355 S. Grand Ave., Suite
5 2450, Los Angeles, CA 90071.

6 On April 1, 2026, I served a true copy of the following document described as:

7 **NOTICE OF MOTION AND MOTION BY MEDIA COALITION TO UNSEAL JUDICIAL
8 RECORDS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT**

9 on the interested parties in this action as follows:

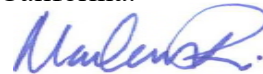
<p>10 Anne P. Bellows California Department of Justice 455 Golden Gate Ave. San Francisco, CA 94102 E-mail: Anne.Bellows@doj.ca.gov</p>	<p>Lindsay M. Bailey California Department of Justice 300 S. Spring Street, Ste. 1702 Los Angeles, CA 90013 E-mail: Lindsay.Bailey@doj.ca.gov</p>
<p>13 Robert H. Tyler Tyler Law, LLP 25026 Las Brisas Rd. Murrieta, CA 92562 E-mail: rtyler@tylerlawllp.com</p>	

16 **BY FIRST-CLASS MAIL:** I deposited said document in a sealed envelope with
17 the United States Postal Service at Los Angeles, California, for delivery, with the postage fully
18 prepaid. I am “readily familiar” with this firm’s practice of collection and processing
19 correspondence for mailing. Under that practice, it would be deposited with the U.S. postal
20 service on that same day with postage thereon fully prepaid at Los Angeles, California in the
ordinary course of business.

21 **BY ELECTRONIC MAIL (E-MAIL):** I caused the said document to be
22 transmitted by e-mail to the persons at the email addresses listed above. I did not receive, within a
reasonable time after the transmission, any electronic message or other indication that the
transmission was unsuccessful.

23 I declare under penalty of perjury under the laws of the State of California that the above is
24 true and correct.

25 Executed on April 1, 2026, at Los Angeles County, California.

26 

27 Marlene Rios