CASE NO. S264065

IN THE SUPREME COURT

OF THE STATE OF CALIFORNIA

ORANGE COUNTY BOARD OF EDUCATION; PALM LANE CHARTER SCHOOL; JUAQUIN CRUZ; ANGELA MILLER; and CECILIA OCHOA

Petitioners,

vs.

GAVIN NEWSOM, in his official capacity as Governor of California, SANDRA SHEWRY, in her official capacity as the State Public Health Officer and Department of Public Health Director

Respondents.

PETITIONERS' REPLY TO RESPONDENTS' PRELIMINARY OPPOSITION TO PETITION FOR WRIT OF MANDATE

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INTRODUCTION[1]

"The grave threat to public health posed by the highly contagious and deadly novel coronavirus is beyond dispute."[2] Over the last few months Governor Newsom, the CDPH, and the State have used this statement to govern without checks and balances and without fundamental constitutional restraints. Petitioners' Writ included various studies and expert declarations calling into question whether what we now know about COVID-19, the death rates associated with it, and the ongoing spread of it support the Governor's suppression of constitutional rights in relation to school-age children.

Beyond that, however, the Governor and the State have been the sole arbitrators of how schools can operate. They have undermined the arguments they make throughout their Opposition regarding the extent of the public health emergency and whether children need to stay home because of the "grave threat" that is "beyond dispute." Despite this alleged "grave threat," on August 25, 2020, the CDPH "issued guidance for small groups of students (cohorts) to receive in-person supervision, specialized and targeted services, and other support in settings that include schools that are otherwise not permitted to reopen under the Framework."[3] This new guidance "applies to schools that cannot reopen for in-person instruction."[4] It is illogical for Respondents to assert that they clearly have a rational basis, and even a compelling governmental interest, to suppress constitutional rights while simultaneously allowing schools to open with cohorts of 14 for supervision but not allow teachers to just teach groups of 14 in classrooms across the state. The Governor offers no answer to the question: How is it going to alter

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[1] Petitioner Angela Miller is a single parent who was errantly identified as Angie Gonzalez on page 22 of the Writ.
[2] Respondents' Preliminary Opposition To Petition For A Writ Of Mandate ("Opposition"), pg. 11.
[3] Opposition, pg. 17.
[4] *Ibid.*

the spread of COVID-19 if kids are supervised in groups of 14 but not taught in groups of 14? The State has set up a labyrinth of executive orders, directives, and guidance that allow a 5-year-old child to be in a classroom, while being supervised in the same building that the 5-year-old should be receiving an education from a fully trained and licensed teacher. Meanwhile, the child's teacher is in a building, or even a classroom away, trying to teach virtual reading and phonics to a 5-year-old. The Opposition did not provide any support for these decisions – decisions that have resulted in the suppression of constitutional rights – but instead provided many statements where the arbitrary nature of the Governor's edicts and the CDPH directives are on full display.

Moreover, the California State University System has allowed students on campus for reasons including, but not limited to, clinical classes, physical and life science laboratory classes, and performing and creative art facilities.[5] If the threat is so grave, why is the Governor and CDPH allowing the California State University system, which lacks the benefit of significant studies showing lower transmission of COVID-19 for younger kids, to have thousands of kids on campus each week while not allowing the same type of limited exceptions for children grades K-12?[6]

Most generations have their moment. The moment when they must decide if fear or constitutionally protected freedoms will win the day. Each time history looks back on those moments and determines whether those involved stood up in the face of fear at the right moment, whether the fear was justified, and whether the courts adequately protected those rights when

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[5] Timothy P. White, California State University (May 12, 2020) available as of the date of filing at: https://www2.calstate.edu/csu-system/news/Pages/CSU-Chancellor-Timothy-P-Whites-Statement-on-Fall-2020-University-Operational-Plans.aspx.

[6] Writ Exhibit 16.

balancing the harm feared and the constitutional right being trampled. During World War II, the United States Supreme Court upheld the internment of United States citizens after the Pearl Harbor tragedy out of fear. In 2018, Chief Justice Roberts acknowledged that suppression of constitutional rights for what it was – an error in judgment born out of fear of the unknown and "gravely wrong."[7]

Petitioners are asking this Court to grant their Writ and prohibit the Governor from making California's school children the next group whose constitutional rights were suppressed out of fear, particularly when, as here, the scheme set forth by the Governor and CDPH is so inconsistent that it renders the actions taken irrational and arbitrary.

I. THE COURT SHOULD EXERCISE ITS ORIGINAL JURISDICTION

The Opposition asserts that this Court should not exercise its original jurisdiction because "[t]he rapidly evolving facts further counsel against this Court exercising its original jurisdiction."[8] To the contrary, it is the "rapidly evolving facts" that necessitate this Court exercise original jurisdiction, and those facts make this situation incredibly unique. On August 28, 2020, the same day the Opposition was filed, the Governor did a live press conference again moving the target for when schools can open for in-person instruction by getting rid of the old County Monitoring List referenced in the Opposition and replacing it with four tiers. While Orange County was removed from the old County Monitoring List, on the newly announced tier list it is again in "purple" which is the "widespread" tier that has the most stringent of restrictions and does not allow for in-person instruction in schools.[9]

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[7] *Trump v. Hawaii* (2018) 138 S.Ct. 2392, 2423.
[8] Opposition, pg. 22.
[9] State of California, Safer-Economy (last updated August 31, 2020) available as of the date of filing at: https://covid19.ca.gov/safer-economy/.

Respondents also argue that the waivers being granted somehow render this Court's jurisdiction improper.[10] The waivers are not available statewide and, significantly, are not available for any schools and/or students beyond sixth grade.[11]

Moreover, the new website the Governor announced this week requires counties to "remain in a tier for at least 3 weeks before moving forward" and states that to "move forward, a county must meet the next tier's criteria for two consecutive weeks."[12] While it is unclear whether Respondents will deem Orange County as able to open in-person instruction in the next week or two, Respondents have a well-established history of moving the goal post, and when it involves the statewide suppression of constitutional rights, it is more than appropriate for this Court to exercise original jurisdiction when this is occurring.[13]

As noted in the Opposition, "Original proceedings at the appellate level are 'truly extraordinary' and risk making this Court 'a court of first, not last, resort.' (*Adams v. Dept. of Motor Vehicles* (1974) 11 Cal.3d 146, 151, fn. 7.)"[14] What is occurring statewide regarding California schools is the definition of extraordinary. While offering very little scientific support for their position, Respondents are asking this Court to deem it scientifically

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[10] Opposition, p. 22.
[11] https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/In-Person-Elementary-Waiver-Process.aspx).
[12] State of California, Safer-Economy (last updated August 31, 2020) available as of the date of filing at: https://covid19.ca.gov/safer-economy/.
[13] *Alfredo A. v. Superior Court*, 6 Cal. 4th 1212, 1219 (1994) [holding that although petitioner acknowledged mootness as to him, it is certain that other persons similarly situated will be detained under the allegedly unconstitutional procedures]; *NBC Subsidiary (KNBC-TV), Inc. v. Superior Court*, 20 Cal. 4th 1178, 1190 (1999) [granting review on its own, finding that the case presented an important question affecting public interest and although the present action was settled, was capable of repetition.]
[14] Opposition, pp. 20-21.

necessary to refuse to allow teaching but to allow supervision in classrooms in groups of 14 in the same buildings that classes are typically taught. Education is a fundamental right, and as established in the Petitioners' Opening Brief, the Governor's orders and CDPH directives impair that right for various groups of students. Schools are in the process of opening statewide, and the uniqueness, breadth, and continually shifting requirements for schools render this Court exercising original jurisdiction the last resort for schools, parents, and children across California.

II. THIS COURT MAY GRANT MANDAMUS RELIEF WHEN THE GOVERNOR ABUSES HIS DISCRETION

Respondents disguise their ministerial contentions in colorful language and empty rhetoric designed to muddy the waters. Notably, Respondents do not cite a single case in support of their ministerial argument, but instead rely on a case to assert that it is not the court's role to determine the best means to protect the public against a disease.[15] It is well established that a writ may issue not only to compel a ministerial act, but also to correct an abuse of discretion by public officers such as Governor Newsom.[16]

It is appropriate for this Court to correct the abuse of discretion by Governor Newsom and the CDPH where the exercise of discretion under the Emergency Services Act exceeds the bounds of reason by contradicting the scientific community in derogation of the fundamental right to education and contracts clause of the California Constitution. The arbitrary laws which the Governor and CDPH enacted to implement a distance learning model

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[15] Opposition, pg. 25-26.

[16] *Bodinson Mfg. Co. v. California Employment Com.* (1941) 17 Cal.2d 321, 330 [Mandamus may be used "not only to compel the performance of a ministerial act."]; see *Wood v. Strother* (1888) 76 Cal. 545, 548-49 [Writ may issue to correct an abuse of discretion.]; see also *Fair v. Fountain Valley School Dist.* (1979) 90 Cal.App.3d 180, 186-187 [A writ will lie to correct an abuse of discretion by a public officer.].

demand this Court's immediate attention as millions of students statewide are presently falling behind in their academic endeavors, eroding the very foundation of their citizenship.[17] While the Governor and CDPH may have discretion over the decision to terminate a state of emergency or enact laws which they perceive are necessary to protect public health, Courts may intervene to correct an abuse of that discretion when evidence demonstrates, as it does here, that there is an abuse of discretion.[18]

Based upon the recommendations and studies of the CDC, firsthand reports from educators throughout the state, declarations of experts within the scientific community, and evidence demonstrating that children are not the primary drivers of the spread of COVID-19, this Court should intervene to correct the abuse of discretion by Respondents which unconstitutionally deprives students of their fundamental rights under the California Constitution.

III. PETITIONERS ESTABLISHED THAT THE ORDERS VIOLATE THE STATE EQUAL PROTECTION CLAUSE

Education is a fundamental right "deeply rooted in this Nation's history and tradition" and is "implicit in the concept of ordered liberty."[19] The Governor and CDPH tread upon the fundamental rights of millions of students and now feign ignorance to upset decades of jurisprudence under the guise of protecting public health, even when their own justification and actions undermine the very arguments made in the opposition.

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[17] *Brown v. Board of Education* (1954) 347 US 483, 493.
[18] *California Correctional Supervisors Organization Inc. v. Department of Corrections* (2002) 96 Cal.App.4th 824, 827.
[19] *Washington v. Glucksberg* (1997) 521 U.S. 702, 720–21; *Serrano v. Priest* (1971) 5 Cal. 3d 584, 608-09.

A. The Governor's Orders are Subject to Strict Scrutiny

Because the Governor's Orders restrain, prohibit, and affect a fundamental right, the standard of review is much higher than purely "comfort" and "health." Respondents cannot meet the strict scrutiny standard applicable. Respondents ask this Court to broadly construe Governor Newsom's police powers in such a fashion as to completely ignore the fundamental rights of education and equal protection.[20] It is well-established precedent that a state's police powers are limited by the United States Constitution and a state's own constitution.[21]

B. The State Order is Not Narrowly Tailored to Advance the Government's Interest

Governor Newsom cannot hide behind the fallacy the economically disadvantaged, minority, special needs, and students from single-parent households will receive equal and effective education through remote internet learning in the face of glaring evidence to the contrary.[22] The Petitioners, through voluminous documents and expert declarations, demonstrated that these individuals cannot exercise their fundamental right to an equal education under a distance learning model. Respondents arguments do not prove otherwise.

Specifically, economically disadvantaged and minority students suffer disproportionately by forced remote learning because these students need live, real time instruction to address their individual needs and have less

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[20] Opposition pp. 26-28.

[21] *See Buchanan v. Warley* (1917) 245 U.S. 60, 74 [the police power "cannot justify the passage of a law or ordinance which runs counter to the limitations of the federal Constitution.…]; *Ex parte Barmore* (1917) 174 Cal. 286, 287 ["Arbitrary or oppressive restrictions…will be condemned by the courts as in conflict with fundamental constitutional rights."]; *In re Boza* (1940) 41 Cal. App. 2d 25, 30; *Tobe v. City of Santa Ana* (1995) 9 Cal. 4th 1069, 1108.

[22] Opposition, pg. 29-31.

reliable digital services.[23] These students, along with children in single-parent households, lack the means to cope with forced remote learning. Economically disadvantaged, minority, and single parent households cannot afford to pay for "pandemic pods," which will further the educational divide caused by the State Order.[24] Finally, special needs children require resources that can only be effectively delivered through in-person instruction; therefore, the State's Order will severely curtail their educational outcomes.[25]

Respondents claim the State Orders apply the same rules for in-person learning equally throughout the state.[26] In doing so, the Respondents ask this Court to measure the effectiveness of distance learning in the aggregate across the spectrum, and to ignore the catastrophic effect on the economically disadvantaged, minority, special needs, and students of single-parent households. This Court should be acutely aware that such a judicial determination would allow the State of California to deprive these identifiable groups of a quality education by justifying that the entire population was subject to the same subpar guidelines.

Even if the Orders are the same across the spectrum, they are not equal in effectiveness for certain groups.[27] It is the impact of the Orders that have led and will continue to lead to disparate outcomes for the economically

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[23] Writ at 34-36, 40.
[24] Writ. at pp. 37, 42.
[25] Writ at pg. 40-41.
[26] Opposition at pg. 31-34.
[27] The Respondents also ignore the fact that certain counties and public schools are going to have more economically disadvantaged, minority, disabled, and students of single-parent households than other counties. Therefore, these counties and schools will be disproportionately impacted by the State's Orders.

disadvantaged, minority, special needs and students of single-parent households without immediate judicial intervention.[28]

Moreover, there is no way around the strict scrutiny standard. It is undisputed that education is "deeply rooted in this Nation's history and tradition" and is a fundamental right.[29] Any infringement of the right to education—or discrimination that deprives certain groups of that right—is thus subject to a "heightened level of scrutiny."[30] The regulation must be narrowly tailored such that the regulation "is necessary to achieve the articulated state goal."[31] Here, the purported goal is to "protect the public from a deadly and highly contagious disease."[32] Shutting down schools is not "necessary" to achieve the State's goal because minors present low risk of transmission.[33]

Respondents suggests there is growing evidence of serious health risks posed to children by relying on cherry-picked and unsubstantiated

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[28] The equal protection clause applies to laws that discriminate explicitly between groups of people, as well as laws that, though evenhanded on their face, in operation have a disproportionate impact on certain groups. (*Sanchez v. State of California* (2009) 179 Cal.App.4th 467, 487; see also *Arcadia Unified School Dist. v. State Dept. of Education* (1992) 2 Cal.4th 251, 266 [claim that school transportation fees discriminated against poor may have had merit if not for payment exemption for indigent children]; *Hardy v. Stumpf* (1978) 21 Cal.3d 1, 7–8 [examining facially neutral physical agility test under equal protection inquiry]; *Personnel Administrator of Mass. v. Feeney* (1979) 442 U.S. 256 [employing equal protection review of a veterans' preference statute that operated to the disadvantage of women].)

[29] *Washington v. Glucksberg* (1997) 521 U.S. 702, 720–21

[30] *United States v. Harding* (9th Cir. 1992) 971 F.2d 410, 412. n.1; *Plyer v. Doe*, 457 U.S. 202, 221 (1982)

[31] *Kramer v. Union Free Sch. Dist. No. 15* (1969) 395 U.S. 621, 632.

[32] Opposition, pg. 36.

[33] Writ at 46; *see also*,; Decl. of Victory ¶¶ 19, 23, 26; Decl. of Anderson ¶ 26; Decl of Fitzgibbons ¶¶ 27, 29, 30,37; Decl. of Kaufmann ¶¶14-19.

evidence.[34] For instance, Respondents cite to a case in Georgia where two high schools were forced to close after a week of in-person classes.[35] The Respondents also cite to increased student and school staff infection cases in states like Alabama, Indiana, and Tennessee.[36] No causal connection can be inferred from the correlation of school reopening and the rise of cases occurring in only a few states. In fact, contrary to their own assertions, Respondents released guidance on "cohorts," permitting groups of 14 children to gather in school classrooms across the state. If Respondents genuinely believed their assertions, they would not have modified statewide guidelines to permit cohorts.

As the Respondents concede, the overall role children may play in the spread of COVID-19 "has not been fully defined."[37] And, in general, evidence and data about COVID-19 emerges on a daily basis and the current testing system is flawed, inaccurate, overbroad, and "flatly inconsistent with the science of public health, biosafety protocols, and with [the] understanding as infections disease professions…"[38] Thus, this Court should look to the actions of the state in enacting cohorts rather than giving deference to Respondents' red herring assertions.

Finally, even if minors *could* transmit the disease, the State's goal could be achieved through less drastic means[39] as evidenced by the State's own actions in permitting cohorts. The State's August 25, 2020 guidance implicitly concedes that less drastic means exist where they permit groups of 14 students to gather in a classroom with an adult. In fact, their actions illogically and unexplainably imply that the very act of uttering instructional

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[34] Opposition, pg. 35-36.
[35] Watt Supp. Decl. ¶ 7.
[36] *Ibid.*
[37] Watt Decl. ¶ 26.
[38] Writ at 45; Decl. of Kauffmann ¶¶ 16, 19.
[39] *Shelton v. Tucker* (1960) 364 U.S. 479, 488.

language by an adult in a classroom single handedly leads to the spread of COVID-19 throughout the youth of California. For these reasons, Respondents cannot satisfy the narrowly tailored requirement, and Petitioners request that this Court issue a ruling in Petitioners' favor.

IV. PETITIONERS ESTABLISHED THAT THE ORDERS VIOLATE THE IDEA AND THE ADA

The Orders violate the statutory rights of disabled students because schools cannot provide necessary, federally mandated services to disabled students remotely. Respondents first attempt to avoid the merits of this claim by falsely claiming that Petitioners do not have standing because "none of the parent-petitioners [] allege that their children have an individualized education program (IEP) pursuant to the IDEA."[40] However, the declaration of Juaquin Cruz states that three of his children have special needs and receive IEPs to help to compensate for their disabilities.[41] Mr. Cruz also explained his children are not receiving the services required by the IEPs through remote learning.[42]

Next, Petitioners properly asserted their claims pursuant to 42 U.S.C. §1983. The IDEA, ADA, and Rehabilitation Act "have [all] been enforced under §1983."[43] In the case cited by Respondents, *Blanchard v. Morton Sch. Dist.*,[44] the Court held only that a parent could not use §1983 to seek compensatory damages when bringing a claim under the IDEA.[45] The Court did not hold that Section 1983 does not provide a cause of action for violation

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[40] Opposition, pg. 39.
[41] Decl. of Cruz ¶ 4.
[42] Decl. of Cruz ¶¶ 5-12.
[43] *Payne v. Peninsula Sch. Dist*. (9th Cir. 2011) 653 F.3d 863, 872 (collecting cases), overruled on other grounds by *Albino v. Baca* (9th Cir. 2014) 747 F.3d 1162.
[44] (9th Cir. 2007) 509 F.3d 934
[45] *Id*. at 937.

of the IDEA or ADA. In the second case cited by Respondent, *Vinson v. Thomas*[46], the Court held that "a plaintiff cannot bring an action under 42 U.S.C. § 1983 against a State official in her individual capacity to vindicate rights created by Title II of the ADA ..."[47] Here, Petitioners named Respondents in their official capacities only.

In a third attempt to avoid the merits of this claim, Respondents allege that Petitioners failed to exhaust administrative remedies. However, Petitioners' claims under the ADA are not subject to the IDEA's exhaustion requirement because they do not turn on the right to "special education" and "related services,"[48] but rather on the right to receive an education on the same terms as non-disabled students.[49] When a neutral policy "burdens [disabled] persons in a manner different and greater than it burdens others," that policy "discriminates against [those individuals] by reason of their disability."[50] Here, the Orders discriminate against students based on their disabilities because school closures disproportionately affect families of special needs students, such as Petitioner Juaquin Cruz' children.

In any event, Petitioners are exempt from the IDEA's exhaustion requirement for multiple reasons. First, resort to administrative remedies here would not serve the purposes of exhaustion.[51] The Orders are tantamount to a state law prohibiting nearly every school in the State of California from providing in-person educational services to children: there is no room for the "discretion … by state and local agencies" and no ability for "these agencies . . . to correct shortcomings in their educational programs for

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[46] (9th Cir. 2002) 288 F.3d 1145
[47] *Id*. at 1156 (emphasis added).
[48] 20 U.S.C. § 1401
[49] *See Fry v. Napoleon Cmm'ty Schls.* (2017) 137 S. Ct. 743, 754–55.
[50] *Crowder v. Kitagawa* (9th Cir. 1996) 81 F.3d 1480, 1484.
[51] *Hoeft v. Tucson Unified Sch. Dist.* (9th Cir. 1992) 967 F.2d 1298, 1302–03

disabled children."[52] The Orders ban in-person educational services that no state or local agency may override. Respondents' argument that recent operative public health directives "authorize small group supervision and instruction" does not override the Orders which ban public schools from reopening.[53] Moreover, the recent directives are vague and do not expressly allow for special needs education services, but rather allow in-person supervision for an unidentified "specified subset of children and youth."[54]

Exhaustion is also not required here because "it would be futile to use the due process procedures."[55] The issues created by the Orders cannot be solved by filing complaints with school districts or the State Department of Education, as the entities have no authority to override the Orders.[56] Likewise, "it is improbable that adequate relief can be obtained by pursuing administrative remedies" because Petitioners' IDEA claims are systemic.[57] Providing Petitioners' relief requires an injunction barring Respondents from enforcing the Orders, which is "structural relief that only a court can order."[58] Petitioners claim that the *entire educational regime* created by the Orders—online-only instruction and services—violates the IDEA because schools simply cannot provide free and appropriate public education to disabled students without in-person instruction. Physical and occupational therapy, explicitly required by the IDEA, 20 U.S.C. § 1401(26), cannot be provided remotely. Nor can countless other kinds of "specialized" instruction.[59] Thus, Petitioners' claim that state law (in the form of the

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[52] *Id.*
[53] Opposition, pg. 44.
[54] Respondents' RJN 1.
[55] *Hoeft*, *supra,* 967 F.2d at pg. 1303.
[56] *See* Cal. Educ. Code §§ 56500.2 and 56500.3.7.
[57] *Hoeft*, *supra*, 967 F.2d at pg. 1304
[58] *Doe*, 111 F.3d at pg. 683.
[59] *E.R.K. ex rel. R.K. v. Haw. Dept. of Educ.* (9th Cir. 2013) 728 F.2d 982, 990; *see, e.g.*, Decl. of Garcia ¶¶7-10; Decl. of Cruz ¶¶ 6-11.

Orders) creates a system of special education that fails to comport with the IDEA falls squarely within the exceptions to the IDEA's exhaustion requirements.[60]

Respondents finally attempt to address the merits of IDEA and ADA claims by arguing that the undisputed issues with distance learning that occurred in the Spring have been wondrously cured by the State appropriating "billions of dollars in additional resources."[61] However, the Respondents' claims are not based on lack of funding, but rather that students with disabilities disproportionately suffer from the distance learning model. In order to meet the mandatory requirements of IDEA and ADA, public school districts must conduct in person instruction which is specially designed to aid disabled students and meet their specialized education needs in a manner which is consistent with the students' IEPs. No amount of money thrown at distance learning will mitigate the harm that the Orders are causing and will continue to cause on special needs students.

Petitioners submitted declarations asserting that disabled students have suffered and will continue to suffer based on schools failing to meet the individualized education plans of special needs students in violation of IDEA and ADA.[62] Respondents, on the other hand, have not set forth any evidence that these students were not harmed or that future harms will not materialize. Respondents simply assert that the State has thrown money at the problem and implemented vague directives that allow limited, narrow in-person supervision for an unidentified "specified subset of children and youth."[63] Neither money, nor vague, limited directives implemented in the eleventh hour can save Respondent.

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[60] *Hoeft*, *supra,* 967 F.2d at pg. 1302–04.
[61] Opposition, pg. 44.
[62] Decl. of Garcia ¶¶7-10; Decl. of Cruz ¶¶ 6-11. Decl of Lebsack ¶¶ 4-10.
[63] (Respondents' RJN 1.)

CONCLUSION

The Court should, therefore, grant this petition.

Dated: September 1, 2020

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CERTIFICATE OF WORD COUNT

I, the undersigned counsel for Petitioners, relying on the word count function of Microsoft Word, the computer program used to prepare this brief, certify that the above document contains 4,940 words.

Robert H. Tyler

CERTIFICATE OF SERVICE

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- **SUPPLEMENTAL DECLARATION OF DR. JAYANTA BHATTACHARYA IN SUPPORT OF PETITIONERS' REPLY TO RESPONDENTS' PRELIMINARY OPPOSITION TO PETITION FOR WRIT OF MANDATE**

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am an employee in the office of a member of the bar of this Court who directed this service.

Shelly A. Padilla

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