

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIRST APPELLATE DISTRICT
DIVISION FOUR

CALIFORNIA INSURANCE
COMPANY,

Petitioner,

v.

SUPERIOR COURT OF
CALIFORNIA, COUNTY OF SAN
MATEO,

Respondent;

INSURANCE COMMISSIONER OF
THE STATE OF CALIFORNIA,

Real Party in Interest.

A170573

San Mateo County Super. Ct.
19-CIV-06531

THE COURT:

The petition for writ of mandate is denied. A petitioner seeking a writ of mandate has the burden of showing that he or she does not have a plain, speedy, and adequate remedy at law. (*Pettis v. Municipal Court* (1970) 12 Cal.App.3d 1029, 1031–1032.) A remedy by immediate direct appeal is presumed to be adequate, and a party seeking review by extraordinary writ bears the burden of demonstrating that appeal would not be an adequate remedy under the particular circumstances of that case. (*Powers v. City of Richmond* (1995) 10 Cal.4th 85, 112–113.) Petitioner has filed a notice of appeal of the same order it challenges in the instant petition (A170622) and

has not met its burden of demonstrating the inadequacy of its remedy on appeal.

(Brown, P.J., Streeter, J., and Hite, J.*)

Date: 06/20/2024 Brown, P.J. P.J.

* Judge of the Superior Court of California, County of San Francisco, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.