

1 Brian T. Hildreth (SBN 214131)  
*bhildreth@bmhlaw.com*  
2 Katherine C. Jenkins (SBN 324014)  
*kcjenkins@bmhlaw.com*  
3 **BELL, McANDREWS & HILTACHK, LLP**  
4 455 Capitol Mall, Suite 600  
5 Sacramento, California 95814  
6 Telephone: (916) 442-7757  
7 Facsimile: (916) 442-7759  
8  
9 *Attorneys for Petitioner*  
10 **RON SCOLES DANG**

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF ORANGE

11 RON SCOLES DANG, an individual,  
12 Petitioner,  
13 v.

14 CARL PETERSEN, City of Irvine City Clerk;  
15 BOB PAGE, Orange County Registrar of Voters,  
16 Respondents.

17 \_\_\_\_\_  
18 TAMMY KIM and DOES I-X,  
19 Real Parties In Interest.

Case No.

**VERIFIED PETITION FOR WRIT OF  
MANDATE AND INJUNCTIVE  
RELIEF [C.C.P. §§ 526a and 1085; CAL.  
ELEC. CODE §§ 2213 and 13314].**

**IMMEDIATE ACTION REQUIRED:  
ELECTION LAW MATTER ENTITLED  
TO CALENDAR PREFERENCE  
PURSUANT TO CCP §35 AND  
ELECTIONS CODE 13314(A)(3)**

Hearing Date:  
Time:  
Dept:  
Judge:  
Petition Filed:

1 Petitioner, RON SCOLESDANG, alleges as follows:

2 **JURISDICTION AND VENUE**

3 1. Petitioner, RON SCOLESDANG (“Petitioner”), is a United States citizen, more  
4 than eighteen (18) years of age, a resident of the State of California, and specifically, a resident  
5 and registered voter in of City of Irvine Council District 5, located within Orange County,  
6 California.

7 2. Respondent, CARL PETERSEN, is now, and at all times mentioned herein was  
8 the duly appointed City of Irvine City Clerk (“Respondent PETERSEN”) and is the City of Irvine  
9 “elections official” for the purposes of California Elections Code section 13314. Respondent  
10 PETERSEN is named in his official capacity only.

11 3. Respondent, BOB PAGE, is now, and at all times mentioned herein was the duly  
12 appointed Registrar of Voters for the County of Orange (“Respondent PAGE”), and is the  
13 “election official” for the purposes of California Elections Code Sections 2213 and 13314.  
14 Respondent PAGE is named in his official capacity only.

15 4. Real Party In Interest TAMMY KIM (“KIM”), is a purported candidate for City of  
16 Irvine Council District 5 at a Special Municipal Election presently scheduled for April 15, 2025.  
17 Real Party KIM, however, is not a resident of her district and is therefore disqualified from  
18 appearing as a candidate on the ballot for the District 5 race. This Verified Petition for Writ of  
19 Mandate seeks to bar Real Party KIM’s name from inclusion on the ballot for the April 15, 2025  
20 election so voters are not misled into casting a vote for an individual who is ineligible to seek and  
21 hold the office. This Petition for Writ of Mandate further seeks to nullify Real Party KIM’s  
22 registration to vote in Irvine Council District 5.

23 5. Petitioner is unaware of the true names and capacities of Real Parties in Interest  
24 DOES I through X, and name such Real Parties in Interest herein by fictitious names. Petitioner is  
25 informed and believes, and based upon such information and belief alleges, that each of the  
26 fictitiously named Real Parties in Interest is in some manner responsible for the actions described  
27 in this Petition. When the true identities and capacities of these Real Parties in Interest have been  
28 determined, Petitioner will seek leave to amend this Petition and Complaint to insert such

1 identities and capacities.

2 **SPECIFIC ALLEGATIONS**

3 6. An error, omission, and/or failure to perform a duty has occurred and continues to  
4 occur in Respondent ROV's acceptance of Real Party KIM's Voter Registration, and in  
5 Respondent City Clerk's acceptance of Real Party KIM's Declaration of Candidacy (to run for  
6 the City of Irvine Council District 5) and related submissions. An error, omission, and/or failure  
7 to perform a duty has also occurred and continues to occur in Respondent City Clerk's conduct in  
8 having accepted KIM for inclusion as a candidate on the ballot, sample ballot and other official  
9 supporting materials to be published by Respondent City Clerk, for the April 15, 2025 Special  
10 Municipal Election.

11 7. Real Party KIM's name is presently, and erroneously, set to be included by  
12 Respondent City Clerk and Respondent Registrar of Voters on the ballot for City of Irvine  
13 Council District 5, despite the fact that: (1) KIM is not eligible to run for the office under Irvine  
14 City Charter Section 401; (2) KIM is not eligible to run for the office under Elections Code  
15 section 201; (3) KIM's purported residence address in Council District 5 does not satisfy the  
16 residency requirement in Elections Code sections 2000, *et seq.*, and Elections Code section 349;  
17 and (4) KIM lied about her residence on her Voter Registration Affidavit and candidacy papers,  
18 in violation of the Elections Code Sections 18203, 2213, and 18100, respectively, among other  
19 statutes.

20 8. The Irvine City Charter Section 401("Eligibility") provides:

21 Every Council Member or candidate for Council Member shall be  
22 and remain a qualified voter in the District from which they seek  
23 office from the time of filing nomination papers or such other  
24 equivalent declaration of candidacy as may be required or  
authorized by law, throughout the full term of their office, if  
elected or appointed in lieu of election.

25 9. Similarly, Elections Code section 201 provides: "Unless otherwise specifically  
26 provided, no person is eligible to be elected or appointed to an elective office unless that person is  
27 a registered voter and otherwise qualified to vote for that office at the time that nomination papers  
28 are issued to the person or at the time of the person's appointment."

1 10. For her voter registration and her Council District 5 candidacy papers, KIM claims  
2 she resides at 44 Willowrun, Irvine, CA 92604. This is false and fraudulent.

3 11. In fact, KIM resides in a residence located at 136 Cartier Aisle in Irvine, California  
4 *which is in Irvine City Council District 3.*

5 12. In addition to actually living at this residence in District 3, KIM has claimed this  
6 residence as her “homestead,” which is a legal designation “designed to protect the sanctity of the  
7 family home against a loss caused by a forced sale by creditors.” (*Amin v. Khazindar* (2003)112  
8 Cal. App. 4th 582, 588 [“The homestead exemption ensures that insolvent debtors and their  
9 families are not rendered homeless by virtue of an involuntary sale of the residential property they  
10 occupy”].)

11 13. Petitioner was made aware of the potential falsehood in KIM’s Declaration of  
12 Candidacy and Voter Registration affidavit on Monday, January 20, 2025, following the close of  
13 candidacy filing period on January 17, 2025. Petitioner thereafter undertook steps to confirm  
14 KIM’s actual residence.

15 **FIRST CAUSE OF ACTION**

16 ***Cancellation of Voter Registration - Elections Code § 2213***

17 14. Petitioner realleges paragraphs 1-13 as if fully restated herein.

18 15. Elections Code section 2213 provides that any person may proceed by an action in  
19 the superior court to compel the county elections official to cancel any registration made illegally  
20 or that should be canceled by reason of facts that have occurred subsequent to the registration.

21 16. Indeed, filing a false affidavit of registration also constitutes the commission of a  
22 crime punishable by imprisonment. Elections Code section 18100(a) provides specifically that  
23 “[e]very person who willfully causes, procures, or allows himself or herself or any other person to  
24 be registered as a voter, knowing that he or she or that other person is not entitled to registration,  
25 is punishable by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for  
26 16 months or two or three years, or in a county jail for not more than one year.”

27 17. On or about January 13, 2025, KIM submitted to Respondent ROV, under penalty  
28 of perjury, her Voter Registration Affidavit. Therein, KIM falsely represented her residence

1 address to be 44 Willowrun, Irvine, CA 92604. In reality, this address is a merely a room rented  
2 by KIM in furtherance of an unpersuasive (and likely illegal) attempt to gain residency in Council  
3 District 5 purely for the purpose of seeking elective office.

4 18. KIM has lived at 136 Cartier Aisle since she purchased the condominium in  
5 December of 2015 and registered at a *different* address (19 Alaris Aisle in Irvine's 5<sup>th</sup> Council  
6 District) in May of 2024 AND voted in the November election from that address.

7 19. On December 23, 2024, KIM obtained nomination papers from the Irvine City  
8 Clerk to run in the District 5 Special Election and it is alleged that she used the 19 Alaris Aisle  
9 address. After an investigator made contact with the tenant, believed to be a Board member from  
10 KIM's Non-profit Korean American Center, and determined that she had never resided there, she  
11 is alleged to have heard that her fake address had been found out and responded to a Craigslist ad  
12 for a room for rent at 44 Willowrun.

13 20. KIM thereafter hurriedly asked the Irvine City Clerk to re-issue nomination papers  
14 at the 44 Willowrun address and re-registered to vote from that address, but as recently as  
15 Saturday January 25 was still returning to the 136 Cartier Aisle address, evidence that this  
16 continues to be her domicile as defined by the code and caselaw

17 21. The error, omission and/or neglect of duty by Respondent ROV, which has  
18 occurred, and is continuing and about to be compounded, is in violation of Elections Code  
19 Sections 18100, 2213, and 18203, among others. Said error, omission and/or neglect of duty has  
20 caused and, with time, will increasingly cause further disruption to the electoral process if not  
21 promptly remedied herein.

## 22 **SECOND CAUSE OF ACTION**

### 23 ***Disqualification of Candidacy of Real Party In Interest - Elections Code § 201***

24 22. Petitioner realleges paragraphs 1-21 as if fully restated herein.

25 23. According to the County's Election Calendar for the City of Irvine Special  
26 Municipal Election, the last day to file nomination papers/declaration of candidacy for Council  
27 District 5 was January 17, 2025. Real Party KIM submitted to Respondent Clerk, under penalty of  
28 perjury, her Declaration of Candidacy to run for Irvine Council District 5. Therein, KIM again

1 falsely represented the address of her residence to be 44 Willowrun, Irvine, CA 92604.

2 24. The Irvine City Charter Section 401(“Eligibility”) provides:

3 Every Council Member or candidate for Council Member shall be  
4 and remain a qualified voter in the District from which they seek  
5 office from the time of filing nomination papers or such other  
6 equivalent declaration of candidacy as may be required or  
authorized by law, throughout the full term of their office, if  
elected or appointed in lieu of election.

7 25. Likewise, Elections Code section 201 provides that “no person is eligible to be  
8 elected or appointed to an elective office unless that person is a registered voter and otherwise  
9 qualified to vote for that office at the time that nomination papers are issued to the person or at  
10 the time of the person’s appointment.”

11 26. Because KIM actually resides in a residence located at 136 Cartier Aisle in Irvine,  
12 *which is in Irvine City Council District 3*, she is not eligible to seek election to City Council  
13 District 5.

14 27. Under state law, a candidate who knowingly files false candidacy papers is guilty  
15 of a crime, punishable by monetary fine and/or imprisonment. Elections Code section 18203  
16 provides that “[a]ny person who files or submits for filing a nomination paper or declaration of  
17 candidacy knowing that it or any part of it has been made falsely is punishable by a fine not  
18 exceeding one thousand dollars (\$1,000) or by imprisonment pursuant to subdivision (h) of  
19 Section 1170 of the Penal Code for 16 months or two or three years or by both that fine and  
20 imprisonment.”

21 28. The error, omission and/or neglect of duty by Respondent Clerk and Respondent  
22 ROV, which has occurred, and is continuing and about to be compounded, is in violation of Irvine  
23 City Charter section 401 and Elections Code section 201, among others. Said error, omission  
24 and/or neglect of duty has caused and, with time, will increasingly cause further disruption to the  
25 electoral process if not promptly remedied herein.

26 29. The issuance of a writ of mandate will not substantially interfere with the conduct  
27 of the general election, so long as the relief requested is issued on or before February 7, 2025,  
28 which is the date upon which the ballot materials will be sent to the printer.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


VERIFICATION

STATE OF CALIFORNIA )  
COUNTY OF ORANGE )

I am the Petitioner in this action. I have read the foregoing Verified Petition for Writ of Mandamus and Request for Injunctive Relief and know its contents. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe it to be true.

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

Executed on January 27, 2025, at Irvine, California.

  
\_\_\_\_\_  
RON SCOLESDANG