

Jose DeCastro

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Plaintiff and Appellant In Pro Per

FILED
Superior Court of California
County of Los Angeles

NOV 13 2025

By Christopher E. Coleman Deputy
Sherri R. Carter, Executive Officer/Clerk of Court

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES

JOSE DECASTRO,

Case No. 23SMCV00538

Plaintiff and Appellant,

v.

KATHERINE PETER; DANIEL CLEMENT;
MICHAEL PIERATTINI; DAVID OMO JR.;
and DOES 1 TO 30, inclusive,

NOTICE OF APPEAL

[Cal. Rules of Court, rule 8.100 et seq.]

TO THE CLERK OF THE ABOVE-ENTITLED COURT AND TO EACH PARTY:

NOTICE IS HEREBY GIVEN that Plaintiff and Appellant Jose DeCastro hereby appeals to the Court of Appeal, Second Appellate District, from the Judgment entered on September 17, 2025.

RELIEF REQUESTED:

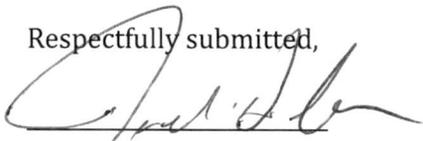
1. Reverse the trial court's vacatur of Appellant's voluntary dismissal of Defendants Pierattini, Clement, and Omo filed April 15, 2025.
2. Reverse all terminating sanctions and monetary sanctions totaling \$15,255 imposed against Appellant during his 117-day wrongful incarceration.
3. Restore Appellant's case against Defendant Katherine Peter and remand for proceedings on the merits as to Katherine Peter only.
4. Award such other relief as the Court deems just and proper.

GROUND FOR APPEAL:

The trial court violated Appellant's constitutional right to due process by imposing terminating and monetary sanctions for conduct physically impossible during Appellant's 117-day wrongful incarceration (conviction later overturned on appeal). The court further erred by vacating Appellant's absolute statutory right to voluntary dismissal under Code of Civil Procedure section 581(b)(1).

DATED: November 13, 2025

Respectfully submitted,



Jose DeCastro
Plaintiff and Appellant In Pro Per

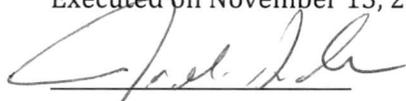
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Appeal was served on the following by the method indicated:

R. Paul Katrinak, Esq.
Law Offices of R. Paul Katrinak
9663 Santa Monica Boulevard, Suite 458
Beverly Hills, CA 90210
Attorney for Defendant Michael Pierattini

BY EMAIL: By electronic service to the email address on file.

Executed on November 13, 2025, at Santa Monica, California.



Jose DeCastro