

Bond Case Briefs

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J.M. v. Huntington Beach Union High School District

Supreme Court of California - March 6, 2017 - 2 Cal.5th 648 - 389 P.3d 1242 - 214 Cal.Rptr.3d 494 - 17 Cal. Daily Op. Serv. 2056

Student petitioned for relief from the Government Claims Act presentation requirement for his claim against school district.

The Superior Court denied petition. Student appealed. The Court of Appeal affirmed. Student petitioned for review. The Supreme Court granted review, superseding the opinion of the Court of Appeal.

The Supreme Court of California held that:

- Student's application to present late claim was deemed denied when district failed to act on it within 45 days, disapproving *E.M. v. Los Angeles Unified School Dist.*, 194 Cal.App.4th 736, 125 Cal.Rptr.3d 200;
- District's failure to give written notice of denial of application to present late claim did not estop district from invoking six-month limitations period; and
- Six-month limitations period was not equitably tolled.