



April 10, 2026

Via USPS and Email: planningnotices@moval.org; planningemail@moval.org

Moreno Valley City Hall
Council Planning Commission
14177 Frederick St.
PO Box 88005
Moreno Valley, CA 92552

Re: Request to Cancel Conditional Use Permit Application and Vacate Public Hearing
CUP: PEN25-0136
APN: 264-030-025
JACCOV, LLC Conditional Use Permit Application

Dear Members of the Planning Commission:

We represent Jara Holding Second, LLC (“Jara”), the lawful tenant of the above-referenced property pursuant to a commercial lease agreement that extends through May 31, 2040, including options to renew. We write to formally request that the Planning Commission cancel the conditional use permit (“CUP”) application submitted by JACCOV, LLC (“JACCOV”) and vacate the associated public hearing. JACCOV lacks the legal right to possession of the property, which is a prerequisite for pursuing a CUP application.

Jara’s Leasehold Interest and Exclusive Right to Possession

Jara holds a valid and enforceable lease agreement for the property, which grants it exclusive possession and use until 2040. The lease agreement explicitly protects Jara’s rights to possession and use, subject to the terms of the lease. JACCOV’s actions, including its CUP

application, are inconsistent with Jara's leasehold rights and constitute an improper interference with Jara's lawful possession.

Notice of Court-Ordered Stays and Pending Appeals

The property is currently subject to two significant legal actions in the Riverside County Superior Court, both of which have been stayed pending appeal. These stays preserve the status quo, meaning Jara retains its rights to possession and quiet enjoyment of the premises:

Automatic Stay Pending Appeal of CVRI2400333 (Appeal No. E088143)

The judgment in case number CVRI2400333, which purportedly affects Jara's right to possession, is currently under appeal (Appeal No. E088143). Under Cal Code Civ Proc § 916, the filing of a notice of appeal automatically stays all proceedings in the trial court that could affect the judgment or order being appealed, including enforcement actions or any conduct that undermines the appellate court's jurisdiction [Cal Code Civ Proc § 916 *Royals v. Lu*].

The automatic stay preserves the status quo and prohibits actions that interfere with Jara's possession of the property during the pendency of the appeal. JACCOV's CUP application and the posting of public hearing notices are actions that violate the automatic stay, as they signal an intent to develop the property in a manner inconsistent with Jara's current use and possession.

Stay of Execution Pending Appeal in UDMV2500712 (Appeal No. E087730)

In addition to the automatic stay under Cal Code Civ Proc § 916, the Superior Court of California, County of Riverside, issued a stay of execution pending appeal in case number UDMV2500712 (Appeal No. E087730). The court's February 18, 2026, minute order explicitly prohibits JACCOV from taking any action to enforce the judgment or interfere with Jara's possession without further order of the court. (See enclosed a copy of the Feb 18, 2026, Minute Order).

This stay reinforces Jara's right to remain in possession of the property and prohibits JACCOV from pursuing actions, such as the CUP application, that would undermine Jara's rights during the pendency of the appeal.

Legal Requirement for Property Rights to Support a CUP Application

Under California law, an applicant for a CUP must demonstrate a legal right to the property, such as ownership or a valid leasehold interest. JACCOV does not have a legal right to possession of the property, as its claims are subject to ongoing litigation and are stayed pending appeal. Allowing JACCOV to proceed with the CUP application would contravene established legal principles and undermine the appellate process.

Request for Relief

Based on the foregoing facts and law, we respectfully request that the Planning Commission:

1. Vacate the public hearing currently scheduled for April 23, 2026, at 6:00 PM.
2. Cancel the processing of the CUP application until such time as the California Court of Appeal has issued a final remittitur in Case Nos. E087730 and E088143.
3. Remove all public hearing notices posted at the subject property, as they constitute an unauthorized entry and an interference with the tenant's right to quiet enjoyment.

We appreciate your attention to this matter and trust that the Planning Commission will act in accordance with the law to protect Jara's rights and the integrity of the appellate process. Please do not hesitate to contact our office if you require additional information or documentation.

Sincerely,

SÁNCHEZ SIQUEIROS LAW



Abraham A. Sánchez Siqueiros, Esq.

Enclosure: 02-18-2026 Minute Order, UDMV2500712

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Moreno Valley Courthouse

Defendants' Notice of Motion and Ex Parte Motion for an Order for a Writ of Stay Pending Appeal

02/18/2026

1:00 PM

Department MV1

UDMV2500712

JACCOV, LLC vs JARA HOLDING SECOND, LLC

Honorable David E. Gregory, Commissioner

L.Chavez, Courtroom Assistant

Court Reporter: None

APPEARANCES:

JACCOV, LLC [PLA] Represented by Mark Rosen appearing remotely in Court.

JARA HOLDING SECOND, LLC [DEF], JOSE'S MEXICAN FOOD, INC. [DEF] Represented by Abraham Sanchez Siqueiros appearing remotely in Court.

All parties stipulate to Commissioner.

Proceeding electronically recorded.

At 02:07 PM, the following proceedings were held:

Motion by Jara Holding Second, LLC and Jose's Mexican Food, Inc. regarding Ex Parte Motion for Order for a Writ of Stay Pending Appeal is called for hearing.

Court has read and considered moving papers and opposition.

Argument presented by Counsel for Plaintiff.

Argument presented by Defense Counsel.

Court makes the following order(s):

Ex Parte Motion for Order for a Writ of Stay Pending Appeal granted.

Stay of execution is granted pending further order of this court.

A previous stay of execution on the judgment was ordered and remains in full force and effect.

Plaintiff is to take no action without further order of the court.

Notice to be given by Clerk to MARK ROSEN, ABRAHAM A SANCHEZ SIQUEIROS.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE

Moreno Valley Courthouse
13800 Heacock Ave, Moreno Valley, CA 92553

Case Number: UDMV2500712

Case Name: JACCOV, LLC vs JARA HOLDING SECOND, LLC

ABRAHAM A SANCHEZ SIQUEIROS
11175 Azusa Court
Suite 110
Rancho Cucamonga, CA 91730

CERTIFICATE OF MAILING

I certify that I am currently employed by the Superior Court of California, County of Riverside, and that I am not a party to this action or proceeding. In my capacity, I am familiar with the practices and procedures used in connection with the mailing of correspondence. Such correspondence is deposited in the outgoing mail of the Superior Court. Outgoing mail is delivered to and mailed by the United States Postal Service, postage prepaid, the same day in the ordinary course of business. I certify that I served a copy of the foregoing Case Number UDMV2500712 Minute Order dated: 02/18/2026 on this date by depositing said copy as stated above.

Dated: 02/19/2026

JASON B. GALKIN,
Court Executive Officer/Clerk of Court

by:



L. Chavez, Deputy Clerk