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— Legal Briefing —

DAILY APPELLATE REPORT
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LATE REPORT

GATED PARKLAND — The Los Angeles City Attorney's Office said Monday that city officials had stopped trying to block off a public street in Brentwood because gating the canyon road would violate the public's right to access Santa Monica Mountain parkland.

Los Angeles Deputy City Attorney Christy Numano-Hiura wrote that plans to privatize the street so gates could be erected had been halted "due to the public access issue related thereto."

The Crown Homeowners Association had been trying to gate off the group's 71 homes since 1995. The Canyon Back Alliance, a group of 16 organizations, opposed the gate because it would block Canyonback Road, a public entrance to the Big Wild, a 21,000-acre urban wilderness.

Tom Freeman, who represents the Canyon Back Alliance, said he pleased with Numano-Hiura's action.

"I believe that this is just a matter of time now before this project is taken off the books," Freeman, an attorney at Bird,

Marella, Boxer & Wolpert, said late Tuesday. Nelson Brestoff of Los Angeles' Moskowitz, Brestoff, Winston & Blinderman, who represents the Crown Homeowners Association, could not be reached late Tuesday. Representatives of Councilwoman Cindy Miscikowski, who had championed the gate, and staff at Los Angeles City Attorney Rocky Delgadillo's office, also could not be reached after hours Tuesday.

Numano-Hiura's letter said Miscikowski's office was working on alternative solutions to the dispute. Freeman, however, does not believe that any plan would satisfy homeowners without limiting public access in some form to the parkland.

"If there had been, it would have been done long ago," Freeman said.

"It seems implicit [from the letter] that they recognize that any proposal that restricts public access in any way will not be allowed," Freeman said.

— **Stefanie Knapp**