

**SUPREME COURT MINUTES
MONDAY, DECEMBER 8, 2014
SAN FRANCISCO, CALIFORNIA**

S209975 D057655/D057686 Fourth Appellate District, Div. 1 **PEOPLE v. LAVENDER
(FLOYD)**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal and direct the court to vacate the order denying defendants' motion for new trial and remand the matter to the trial court for further proceedings consistent with our opinion.

Majority Opinion by Baxter, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, and Dondero*, JJ.

* Associate Justice of the Court of Appeal, First Appellate District, Division One, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S222701

**HIRAMANEK (ADIL) v.
STATE BAR OF
CALIFORNIA (MARTINEZ)**

Vexatious litigant application denied

The application of petitioner for leave to file Petition for Writ of Mandate is hereby denied.

S057242

**PEOPLE v. SPENCER
(CHRISTOPHER ALAN)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Arthur P. Beever's representation that the supplemental respondent's brief is anticipated to be filed by January 23, 2015, counsel's request for an extension of time in which to file that brief is granted to January 23, 2015. After that date, no further extension is contemplated.

S135272

**PEOPLE v. DWORAK
(DOUGLAS EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Diane Nichols's representation that the appellant's reply brief is anticipated to be filed by December 15, 2015, counsel's request for an extension of time in which to file that brief is granted to February 2, 2015. After that date, only six further extensions totaling about 315 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S138474**PEOPLE v. ANDERSON
(ERIC STEVE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Michael T. Murphy's representation that the respondent's brief is anticipated to be filed by February 27, 2015, counsel's request for an extension of time in which to file that brief is granted to February 2, 2015. After that date, only one further extension totaling about 24 additional days is contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S142959**PEOPLE v. YOUNG
(DONALD RAY) & YOUNG
(TIMOTHY JAMES)**

Extension of time granted

On application of appellant Timothy Young and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 2, 2015.

S151493**PEOPLE v. CARDENAS
(REFUGIO RUBEN)**

Extension of time granted

Good cause appearing, counsel Deputy State Public Defender Karen Hamilton's request for an extension of time in which to file the appellant's opening brief is granted to January 20, 2015. After that date, only one further extension totaling 61 additional days will be granted. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S154053**PEOPLE v. RHOADES
(ROBERT BOYD)**

Extension of time granted

Good cause appearing, and based upon counsel Richard Jay Moller's representation that the appellant's opening brief is anticipated to be filed by March 31, 2016, counsel's request for an extension of time in which to file that brief is granted to January 26, 2015. After that date, only seven further extensions totaling about 430 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S164370**PEOPLE v. VOLARVICH
(BRENDT ANTHONY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 28, 2015.

S165894**PEOPLE v. PENUELAS
(JESUS GUADALUPE
VELAZQUEZ)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 6, 2015.

S167010**PEOPLE v. ARIAS
(LORENZO INEZ) &
MENDOZA (LUIS ALONZO)**

Extension of time granted

On application of appellant Lorenzo Inez Arias and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 30, 2015.

S167010**PEOPLE v. ARIAS
(LORENZO INEZ) &
MENDOZA (LUIS ALONZO)**

Extension of time granted

On application of appellant Luis Mendoza and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 2, 2015.

S169152**PEOPLE v. COLBERT
(TECUMSEH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 26, 2015.

S173896**LINDBERG (GUNNER JAY)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Jennifer Hope Turner's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by February 6, 2015, counsel's request for an extension of time in which to file that document is granted to February 6, 2015. After that date, no further extension will be granted.

S175660**PEOPLE v. AGUIRRE (JASON
ALEJANDRO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 2, 2015.

S178113**BRAMIT (MICHAEL
LAMAR) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Michael T. Murphy's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by May 27, 2015, counsel's request for an extension of time in which to file that document is granted to February 2, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S179454**PEOPLE v. JASSO
(CHRISTOPHER GUY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 2, 2015.

S180670**MARTINEZ (MICHAEL
MATTHEW) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Susan Garvey's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 5, 2015, counsel's request for an extension of time in which to file that document is granted to January 26, 2015. After that date, only one further extension totaling about 40 additional days is contemplated.

S184521**PEOPLE v. DUNN (AARON
NORMAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 2, 2015.

S189373**PEOPLE v. WILSON
(LESTER HARLAND)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Alana Cohen Butler's representation that the respondent's brief is anticipated to be filed by December 19, 2014, counsel's request for an extension of time in which to file that brief is granted to December 19, 2014. After that date, no further extension is contemplated.

S190666**VERDUGO (NATHAN
JAMES) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel John N. Aquilina's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by May 24, 2015, counsel's request for an extension of time in which to file that document is granted to January 26, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S191869**CARRASCO (ROBERT) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Roberta L. Davis's representation that the supplemental informal response to the petition for writ of habeas corpus is anticipated to be filed by February 3, 2015, counsel's request for an extension of time in which to file that document is granted to February 3, 2015. After that date, no further extension is contemplated.

S200323**BRYANT (STANLEY) ON
H.C.**

Extension of time granted

Good cause appearing, counsel Michael Laurence's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to December 29, 2014. After that date no further extension will be granted.

S204545**LINDBERG (GUNNER JAY)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Ajay V. Kusnoor's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 10, 2015, counsel's request for an extension of time in which to file that document is granted to January 9, 2015. After that date, only one further extension totaling about 60 additional days will be granted.

S208180**MAI (HUNG THANH) ON
H.C.**

Extension of time granted

Good cause appearing, counsel Supervising Deputy State Public Defender Jeannie R. Sternberg's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to January 30, 2015. After that date, only three further extensions totaling about 146 additional days will be granted.

S212368**SPENCER (CHRISTOPHER
ALAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Emry J. Allen's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 31, 2015, counsel's request for an extension of time in which to file that document is granted to January 30, 2015. After that date, only one further extension totaling about 60 additional days is contemplated.

S214863**SALCIDO (RAMON
BOJORQUEZ) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defenders Michael D. Weinstein's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 25, 2014, counsel's request for an extension of time in which to file that document is granted to December 26, 2014. After that date, no further extension is contemplated.

S215554**BROWNE, JR., (RICHARD
LEON) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Miro F. Cizin's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 16, 2015, counsel's request for an extension of time in which to file that document is granted to January 20, 2015. After that date, only five further extensions totaling about 269 additional days will be granted.

S218292**GHOBRIAL (JOHN SAMUEL)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Collette C. Cavalier's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 4, 2015, counsel's request for an extension of time in which to file that document is granted to February 2, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S218962**YORK (KENNETH) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to January 7, 2015.

S219182**TRUJEQUE (TOMMY
ADRIAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Susan Garvey's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 6, 2015, counsel's request for an extension of time in which to file that document is granted to January 30, 2015. After that date, only five further extensions totaling about 280 additional days will be granted.

S220961**BLOOM (ROBERT
MAURICE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Michael R. Johnsen's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 30, 2015, counsel's request for an extension of time in which to file that document is granted to February 2, 2015. After that date, only three further extensions totaling about 150 additional days are contemplated.

S222187**DANIELS (DAVID SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Larenda R. Delaini's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 27, 2015, counsel's request for an extension of time in which to file that document is granted to January 26, 2015. After that date, only two further extensions totaling about 90 additional days are contemplated.

S221914**BROWN (DARIUS) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

S221974**HARRISON (DAVID SCOTT)
v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division One

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S222005**BARNETT ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SHELLEY RACHEL Z. BARNETT, State Bar Number 164219, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

SHELLEY RACHEL Z. BARNETT must make restitution to the following payees:

- (1) Asbury Woods Condominium Association in the amount of \$4,000 plus 10 percent interest per year from April 7, 2011; Asbury Woods Condominium Association in the amount of \$2,491 plus 10 percent interest per year from August 29, 2011;
- (2) Asbury Woods Condominium Association in the amount of \$5,680 plus 10 percent interest per year from February 11, 2011;
- (3) Bloomfield Club One Homeowners Association in the amount of \$830.32 plus 10 percent interest per year from April 24, 2009;
- (4) Bloomfield Club One Homeowners Association in the amount of \$590.96 plus 10 percent interest per year from June 13, 2010;
- (5) Bloomfield Club One Homeowners Association in the amount of \$1,199.21 plus 10 percent interest per year from February 11, 2011; and
- (6) Granville Residential Corporation in the amount of \$1,313.04 plus 10 percent interest per year from May 18, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SHELLEY RACHEL Z. BARNETT must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222007**BEROKIM ON DISCIPLINE**

Recommended discipline imposed

The court orders that KOUSHA BEROKIM, State Bar Number 242763, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. KOUSHA BEROKIM is suspended from the practice of law for the first 30 days of probation;
2. KOUSHA BEROKIM must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 22, 2014; and
3. At the expiration of the period of probation, if KOUSHA BEROKIM has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

KOUSHA BEROKIM must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2016 and 2017. If KOUSHA BEROKIM fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S222014**CHANDLER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES PATRICK CHANDLER, State Bar Number 215886, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. JAMES PATRICK CHANDLER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222015**CHENG ON DISCIPLINE**

Recommended discipline imposed

The court orders that JENNIFER YYNG CHENG, State Bar Number 119618, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. JENNIFER YYNG CHENG is suspended from the practice of law for the first 30 days of probation;
2. JENNIFER YYNG CHENG must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 30, 2014; and
3. At the expiration of the period of probation, if JENNIFER YYNG CHENG has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JENNIFER YYNG CHENG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2016, 2017, and 2018. If JENNIFER YYNG CHENG fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S222036**MEMMOTT ON DISCIPLINE**

Recommended discipline imposed

The court orders that ORION DOUGLAS MEMMOTT, State Bar Number 37600, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ORION DOUGLAS MEMMOTT is suspended from the practice of law for the first one year of probation;
2. ORION DOUGLAS MEMMOTT must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 4, 2014 ; and
3. At the expiration of the period of probation, if ORION DOUGLAS MEMMOTT has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ORION DOUGLAS MEMMOTT must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ORION DOUGLAS MEMMOTT must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222037**SALMON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SEAN PATRICK SALMON, State Bar Number 202445, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SEAN PATRICK SALMON must make restitution to the following payees:

- (1) Michael and Donna Chavez in the amount of \$3,500 plus 10 percent interest per year from October 18, 2012;
- (2) Clayton Lou Siller in the amount of \$3,950 plus 10 percent interest per year from October 1, 2012;

- (3) Duc and Minchau Nguyen in the amount of \$3,990 plus 10 percent interest per year from January 3, 2013; and
- (4) Don and Aleda Markham in the amount of \$7,000 plus 10 percent interest per year from June 14, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SEAN PATRICK SALMON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222038**WINKLER ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT JAMES WINKLER, State Bar Number 230566, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. ROBERT JAMES WINKLER is suspended from the practice of law for the first year of probation;
2. ROBERT JAMES WINKLER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 8, 2014; and
3. At the expiration of the period of probation, if ROBERT JAMES WINKLER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT JAMES WINKLER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ROBERT JAMES WINKLER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2016 and 2017. If ROBERT JAMES WINKLER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S222107**HARVEY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STEPHEN ARTHUR HARVEY, State Bar Number 47976, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. STEPHEN ARTHUR HARVEY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222108**HOWES ON DISCIPLINE**

Recommended discipline imposed

The court orders that G. PAUL HOWES, State Bar Number 187772, is suspended from the practice of law in California for five years, execution of that period of suspension is stayed, and he is placed on probation for five years subject to the following conditions:

1. G. PAUL HOWES is suspended from the practice of law for a minimum of the first three years of probation, and he will remain suspended until he provides proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. G. PAUL HOWES must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on July 21, 2014.
3. At the expiration of the period of probation, if G. PAUL HOWES has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

G. PAUL HOWES must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

G. PAUL HOWES must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222109**JOHNSTON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CARTER FRENCH JOHNSTON, State Bar Number 131860, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. CARTER FRENCH JOHNSTON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222116**SWARTZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that LINDA KAYE SWARTZ, State Bar Number 154596, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. LINDA KAYE SWARTZ is suspended from the practice of law for the first 30 days of probation;
2. LINDA KAYE SWARTZ must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 15, 2014; and
3. At the expiration of the period of probation, if LINDA KAYE SWARTZ has complied with all conditions of probation, the two-years period of stayed suspension will be satisfied and that suspension will be terminated.

LINDA KAYE SWARTZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S222117**TREGUB ON DISCIPLINE**

Recommended discipline imposed

The court orders that SUSAN HILARY TREGUB, State Bar Number 165362, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and she is placed on probation for four years subject to the following conditions:

1. SUSAN HILARY TREGUB is suspended from the practice of law for a minimum of the first two years of probation, and she will remain suspended until she provides proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. SUSAN HILARY TREGUB must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 11, 2014; and
3. At the expiration of the period of probation, if SUSAN HILARY TREGUB has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

SUSAN HILARY TREGUB must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

SUSAN HILARY TREGUB must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2016, 2017, and 2018. If SUSAN HILARY TREGUB fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S222118**TUCKER ON DISCIPLINE**

Recommended discipline imposed

The court orders that ALEXANDER WARREN TUCKER, State Bar Number 202794, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ALEXANDER WARREN TUCKER is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until he provides proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. ALEXANDER WARREN TUCKER must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 30, 2014.

3. At the expiration of the period of probation, if ALEXANDER WARREN TUCKER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ALEXANDER WARREN TUCKER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.