

**SUPREME COURT MINUTES
TUESDAY, DECEMBER 9, 2014
SAN FRANCISCO, CALIFORNIA**

S221954**REVIERE (RAYMOND) ON
H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner, the above-entitled petition for writ of habeas corpus is ordered withdrawn.

S086578**PEOPLE v. LOOT
(KENDRICK) & MILLSAP
(BRUCE)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Craig Buckner's representation that appellant Kendrick Loot's reply brief is anticipated to be filed by February 1, 2015, counsel's request for an extension of time in which to file that brief is granted to February 2, 2015. After that date, no further extension 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).)

S086578**PEOPLE v. LOOT
(KENDRICK) & MILLSAP
(BRUCE)**

Extension of time granted

Good cause appearing, and based upon counsel Manuel J. Baglanis's representation that appellant Bruce Millsap's reply brief is anticipated to be filed by March 2, 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 27 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).)

S107653**PEOPLE v. CRAWFORD
(CHARLES EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel David Joseph Macher's representation that the appellant's opening brief is anticipated to be filed by December 31, 2014, counsel's request for an extension of time in which to file that brief is granted to December 31, 2014. After that date, no further extension will be granted.

S112146**PEOPLE v. STAYNER (CARY
ANTHONY)**

Extension of time granted

Good cause appearing, and based upon counsel Andrew Parnes'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 30, 2015. After that date, only seven further extensions totaling about 420 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).)

S118147**PEOPLE v. MIRANDA-
GUERRERO (VICTOR M.)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Denise Kendall's representation that the appellant's reply brief is anticipated to be filed by August 11, 2015, counsel's request for an extension of time in which to file that brief is granted to February 9, 2015. After that date, only three further extensions totaling about 180 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).)

S136171**PEOPLE v. WESSON
(MARCUS DELON)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that the appellant's opening brief is anticipated to be filed by February 28, 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 27 additional days is contemplated.

S136171**PEOPLE v. WESSON
(MARCUS DELON)**

Application to file over-length brief granted

Good cause appearing, appellant's "Renewed Request for Permission to File Oversized Appellant's Opening Brief," filed December 1, 2014, is granted. The opening brief must not exceed 177,500 words.

S166737**PEOPLE v. FLORES (RALPH
STEVEN)**

Extension of time granted

Good cause appearing, and based upon counsel John L. Dodd's representation that the appellant's opening brief is anticipated to be filed by May 6, 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 two further extensions totaling about 90 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).)

S178669**PEOPLE v. WYCOFF
(EDWARD MATTHEW)**

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 30, 2015.

S185201**PEOPLE v. ALDANA
(ROMAN GABRIEL)**

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's request for extension of time is 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 20, 2015.

S197707**LOMAX (DARRELL LEE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David A. Voet's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by February 24, 2015, counsel's request for an extension of time in which to file that document is granted to February 6, 2015. After that date, only one further extension totaling about 17 additional days is contemplated.

S215265 F062490/F062709 Fifth Appellate District

**PARKER (CLAY) v. STATE
OF CALIFORNIA**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to amicus curiae brief is extended to December 23, 2014.

S215265 F062490/F062709 Fifth Appellate District

**PARKER (CLAY) v. STATE
OF CALIFORNIA**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer to amicus curiae briefs is extended to December 23, 2014.

S216626

**TOWNSEL (ANTHONY
LETRICE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Louis M. Vasquez's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 24, 2014, counsel's request for an extension of time in which to file that document is granted to December 24, 2014. After that date, no further extension is contemplated.

S216681 G047666 Fourth Appellate District, Div. 3

**PEOPLE v. SANCHEZ
(MARCOS ARTURO)**

Application to file over-length brief granted

The application of respondent for permission to file the Answer Brief on the Merits in excess of 14,000 words is hereby granted.

S218497 B238867 Second Appellate District, Div. 3

**CENTINELA FREEMAN
EMERGENCY MEDICAL
ASSOCIATES v. HEALTH
NET OF CALIFORNIA, INC.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 17, 2014.

S218734 B246606 Second Appellate District, Div. 5 **HORIIKE (HIROSHI) v.
COLDWELL BANKER
RESIDENTIAL BROKERAGE
COMPANY**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 29, 2014.

S218973 B247188 Second Appellate District, Div. 1 **YVANOVA (TSVETANA) v.
NEW CENTURY
MORTGAGE
CORPORATION**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 16, 2015 .

S219567 A138949 First Appellate District, Div. 1 **WHEATHERFORD
(CHERRITY) v. CITY OF SAN
RAFAEL**

Application to file over-length brief granted

The application of appellant for permission to file an over length opening brief on the merits is hereby granted.

S221530 B254958 Second Appellate District, Div. 3 **SHAW (DEBORAH) v. S.C.
(THC-ORANGE COUNTY,
INC.)**

Extension of time granted

On application of real parties in interest and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 12, 2015.

S222204 A135512 First Appellate District, Div. 1 **COALITION FOR
ADEQUATE REVIEW v. CITY
& COUNTY OF SAN
FRANCISCO**

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 answer to petition for review is extended to December 26, 2014.

S220247

G048155 Fourth Appellate District, Div. 3

PEOPLE v. ROBINSON (LEE HOANG)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Leonard J. Klaif is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S222035**McCARTHY ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVEN MICHAEL McCARTHY, State Bar Number 85433, 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. STEVEN MICHAEL McCARTHY must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 15, 2014; and
2. At the expiration of the period of probation, if STEVEN MICHAEL McCARTHY has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEVEN MICHAEL McCARTHY 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 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 his membership fees for each of the years 2016, 2017, and 2018. If STEVEN MICHAEL McCARTHY 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.

S222066**CHONG ON DISCIPLINE**

Recommended discipline imposed

The court orders that KENNETH KWANWON CHONG, State Bar Number 192830, 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. KENNETH KWANWON CHONG is suspended from the practice of law for a minimum of the first 120 days of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
 - (1) Kimberly H. Kim in the amount of \$900 plus 10 percent interest per year from July 5, 2013;
 - (2) Su Hen Jim in the amount of \$2,000 plus 10 percent interest per year from April 27, 2011; and
 - (3) Jin Lim in the amount of \$1,000 plus 10 percent interest per year from June 20, 2012.
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. KENNETH KWANWON CHONG 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 24, 2014.
3. At the expiration of the period of probation, if KENNETH KWANWON CHONG has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

KENNETH KWANWON CHONG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his suspension, whichever is longer 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).)

KENNETH KWANWON CHONG 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.

S222068**CISNEROS ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL ANTHONY CISNEROS, State Bar Number 105483, 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 three years subject to the following conditions:

1. MICHAEL ANTHONY CISNEROS is suspended from the practice of law for the first six months of probation;
2. MICHAEL ANTHONY CISNEROS must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on July 30, 2014; and
3. At the expiration of the period of probation, if MICHAEL ANTHONY CISNEROS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL ANTHONY CISNEROS 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).)

MICHAEL ANTHONY CISNEROS 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.

S222070**FEIGEL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SHELDON WAYNE FEIGEL, State Bar Number 160455, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SHELDON WAYNE FEIGEL must make restitution to Silver D Bar Training Center in the amount of \$910 plus 10 percent interest per year from October 1, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SHELDON WAYNE FEIGEL 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.

S222075**FRY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROBERT J. FRY, State Bar Number 85791, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ROBERT J. FRY 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.

S222076**GROVES ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL KING GROVES, State Bar Number 110645, 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. MICHAEL KING GROVES is suspended from the practice of law for the first thirty days of probation;
2. MICHAEL KING GROVES 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 MICHAEL KING GROVES has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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 his membership fees for each of the years 2016, 2017, and 2018. If MICHAEL KING GROVES 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.

S222095**McSWIGGAN ON
DISCIPLINE**

Recommended discipline imposed

The court orders that LAWRENCE JOSEPH McSWIGGAN, State Bar Number 214415, 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 one year subject to the following conditions:

1. LAWRENCE JOSEPH McSWIGGAN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 30, 2014; and
2. At the expiration of the period of probation, if LAWRENCE JOSEPH McSWIGGAN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

LAWRENCE JOSEPH McSWIGGAN 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 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 LAWRENCE JOSEPH McSWIGGAN 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.

S222096

**PACELLO, JR., ON
DISCIPLINE**

Recommended discipline imposed

The court orders that RAYMUNDO PACELLO, JR., State Bar Number 207694, 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. RAYMUNDO PACELLO, JR., 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. RAYMUNDO PACELLO, JR., 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 8, 2014.
3. At the expiration of the period of probation, if RAYMUNDO PACELLO, JR., has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RAYMUNDO PACELLO, JR., 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).)

RAYMUNDO PACELLO, JR., 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.

S222097**REGO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSEPH JAMES REGO, State Bar Number 163183, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOSEPH JAMES REGO must make restitution to the following payees:

- (1) Henry Lee Wallace in the amount of \$2,334 plus 10 percent interest per year from October 21, 2009; and
- (2) Jeffrey and Shannon Brundage in the amounts as follows:
 - (a) \$2,500 plus 10 percent interest per year from May 2, 2011; and
 - (b) \$3,300 plus 10 percent interest per year from February 29, 2012.

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

JOSEPH JAMES REGO 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.

S222098**WHITE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RONALD WHITE, State Bar Number 85723, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RONALD WHITE must make restitution to John N. Giorgi in the amount of \$1,060,000 plus 10 percent interest per year from November 10, 2009. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

RONALD WHITE 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.