

**SUPREME COURT MINUTES
THURSDAY, FEBRUARY 18, 2016
SAN FRANCISCO, CALIFORNIA**

S024046**PEOPLE v. O'MALLEY
(JAMES FRANCIS)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, and Cuéllar, JJ.

S218973

B247188 Second Appellate District, Div. 1

**YVANOVA (TSVETANA) v.
NEW CENTURY
MORTGAGE
CORPORATION**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed and the matter is remanded to that court for further proceedings consistent with our opinion.

Majority Opinion by Werdegarr, J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Liu, Cuéllar, Kruger, and Huffman*, JJ.

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

S230965

C077557 Third Appellate District

**PEOPLE v. HARRIS
(TERRELL ENOSH)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2016.

S231238

F068465 Fifth Appellate District

**PEOPLE v. KOONCE
(DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 18, 2016.

S231315

B256480 Second Appellate District, Div. 5

IN RE ALBERT C.

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2016.

S231357 A143915 First Appellate District, Div. 1 **BAXMAN (WILLIAM) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2016.

S231363 E061699 Fourth Appellate District, Div. 2 **PEOPLE v. CEDILLO
(GIOVANNI JON)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 18, 2016.

S231378 D068480 Fourth Appellate District, Div. 1 **CALIFORNIA HOUSING
FINANCE AGENCY v.
ROTHMAN (LARRY)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2016.

S231391 A139389 First Appellate District, Div. 4 **PEOPLE v. JOHNSON
(CHRISTEL IRENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2016.

S231393 B254807 Second Appellate District, Div. 5 **PEOPLE v. GALVEZ (JAIME
AYALA)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2016.

S231400 A137119 First Appellate District, Div. 4 **PEOPLE v. DELOSREYES
(TIMOTHY D.)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 21, 2016.

S231434 F069044 Fifth Appellate District **PEOPLE v. BERING
(MORGAN HARRISON)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2016.

S231464 E060351 Fourth Appellate District, Div. 2 **PEOPLE v. JOHNSON
(BRADLEY DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2016.

S230357 **BERNARDINO (CLAUDIO)
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to April 18, 2016.

S230235 G049416 Fourth Appellate District, Div. 3 **PEOPLE v. CAMARENA
(RICHARD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Steven A. Torres is hereby appointed to represent appellant on the appeal now pending in this court.

S224720 **KARTOON ON DISCIPLINE**

Probation revoked

The court orders that the probation of DERON ADAM KARTOON, State Bar Number 155925, is revoked. The court further orders that:

1. DERON ADAM KARTOON is suspended from the practice of law for a minimum of two years, 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. DERON ADAM KARTOON is given credit towards the two-year suspension for the period of involuntary inactive enrollment which commenced on November 28, 2015.

DERON ADAM KARTOON 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.

S231148**WEINSTEIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARILYN DINA WEINSTEIN, State Bar Number 183748, 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. MARILYN DINA WEINSTEIN is suspended from the practice of law for the first 30 days of probation;
2. MARILYN DINA WEINSTEIN 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 October 7, 2015; and
3. At the expiration of the period of probation, if MARILYN DINA WEINSTEIN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MARILYN DINA WEINSTEIN 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.

S231154**DEWITT ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that VICTOR DEWITT, State Bar Number 53408, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

VICTOR DEWITT 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.

S231185**WARNER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES JOSEPH WARNER, State Bar Number 63137, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

JAMES JOSEPH WARNER 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.

S231187**WILLIAMS ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK HENRY WILLIAMS, State Bar Number 220341, 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 four years subject to the following conditions:

1. MARK HENRY WILLIAMS is suspended from the practice of law for the first 18 months of probation;
2. MARK HENRY WILLIAMS 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 October 15, 2015; and
3. At the expiration of the period of probation, if MARK HENRY WILLIAMS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MARK HENRY WILLIAMS must also take and pass the Multistate Professional Responsibility Examination during the period of his actual 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).)

MARK HENRY WILLIAMS 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 membership fees for each of the years 2017 and 2018. If MARK HENRY WILLIAMS 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.

S231208**SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that PAUL FRANCIS SMITH, State Bar Number 42384, 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. PAUL FRANCIS SMITH is suspended from the practice of law for the first 60 of probation;
2. PAUL FRANCIS SMITH 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 October 16, 2015; and
3. At the expiration of the period of probation, if PAUL FRANCIS SMITH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

PAUL FRANCIS SMITH 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.

S231210**KLEIER ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES PATRICK KLEIER, State Bar Number 88554, 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. JAMES PATRICK KLEIER is suspended from the practice of law for the first 90 days of probation;
2. JAMES PATRICK KLEIER 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 October 13, 2015; and
3. At the expiration of the period of probation, if JAMES PATRICK KLEIER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JAMES PATRICK KLEIER 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).)

JAMES PATRICK KLEIER 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.

S231218**FORTH ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOSEPH STEVEN FORTH, State Bar Number 170173, 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. JOSEPH STEVEN FORTH is suspended from the practice of law for the first 30 days of probation;
2. JOSEPH STEVEN FORTH 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 October 14, 2015; and
3. At the expiration of the period of probation, if JOSEPH STEVEN FORTH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOSEPH STEVEN FORTH 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 2017 and 2018. If JOSEPH STEVEN FORTH 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.

S231222**TAYLOR ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DANNY ROBERT TAYLOR, State Bar Number 91924, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DANNY ROBERT TAYLOR 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.

S231279**MEDINA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that EDWARD MEDINA, State Bar Number 204880, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

EDWARD MEDINA 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.

S231308**TROIANI ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM ROBERT TROIANI, State Bar Number 236916, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM ROBERT TROIANI must make restitution to the following payees:

- (1) Jesse Quiroz in the amount of:
 - (a) \$1,000 plus 10 percent interest per year from August 3, 2013;
 - (b) \$1,000 plus 10 percent interest per year from August 29, 2013;
 - (c) \$500 plus 10 percent interest per year from September 28, 2013;
 - (d) \$1,000 plus 10 percent interest per year from November 2, 2013;
 - (e) \$1,000 plus 10 percent interest per year from December 3, 2013;
 - (f) \$1,000 plus 10 percent interest per year from January 3, 2014;
 - (g) \$1,000 plus 10 percent interest per year from February 3, 2014; and
 - (h) \$1,000 plus 10 percent interest per year from March 6, 2014;
- (2) Romel Ramieri in the amount of \$1,860 plus 10 percent interest per year from January 7, 2014;
- (3) Deidre Morrow in the amount of \$500 plus 10 percent interest per year from August 13, 2013; and
- (4) Kjell McCord in the amount of \$1,500 plus 10 percent interest per year from March 18, 2014.

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

WILLIAM ROBERT TROIANI 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.

S231309**RAFFLE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOHN THOMAS RAFFLE, State Bar Number 170973, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

JOHN THOMAS RAFFLE 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.

S231362**SOBEL ON DISCIPLINE**

Recommended discipline imposed

The court orders that a 90-day period of actual suspension be added to the minimum period of suspension ordered in Supreme Court order No. S219532 (State Bar Court Nos. 12-O-16751 (12-O-16762; 12-O-17369; 13-O-11128; 13-O-11701; 13-O-12779; 13-O-13448); 13-O-15485 (13-O-17612)).

BRUCE HOWARD SOBEL, State Bar Number 182547, is suspended from the practice of law in California in order No. S219532 for a minimum of three years and 90 days and he will remain suspended in that matter until the conditions set forth in order No. S219532 are satisfied.

All other provisions of order No. S219532 remain unchanged.

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.

S231364**ASHBRAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD EUGENE ASHBRAN, State Bar Number 60467, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RICHARD EUGENE ASHBRAN 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.

S231368**GRIFFITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD KIERNAN GRIFFITH, State Bar Number 41807, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RICHARD KIERNAN GRIFFITH 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.

S231387**ALARI ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STANLEY ALARI, State Bar Number 53058, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

STANLEY ALARI 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.

S231410**ALVANDI ON DISCIPLINE**

Recommended discipline imposed

The court orders that GILBERT ALVANDI, State Bar Number 236752, 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. GILBERT ALVANDI must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 22, 2015; and
2. At the expiration of the period of probation, if GILBERT ALVANDI has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Gilbert Alvandi 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.