

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 26, 2014
SAN FRANCISCO, CALIFORNIA**

S189462 F058249 Fifth Appellate District

**PEOPLE v. SHOCKLEY
(THOMAS RAYMOND)**

Rehearing denied; opinion modified

S215300 G047691/G047850 Fourth Appellate District, Div. 3 **POOLE (STEVE) v. ORANGE
COUNTY FIRE AUTHORITY**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S214652 B248072 Second Appellate District, Div. 2

**ALATRISTE (JOSE
ARMANDO) ON H.C.**

S214960 B248199 Second Appellate District, Div. 2

BONILLA (JOSEPH) ON H.C.

Case consolidated with:

The above-entitled cases are hereby consolidated for all purposes.

S215870 A135470 First Appellate District, Div. 4

**HORNE (RAYMOND E.) v.
INTERNATIONAL UNION OF
PAINTERS & ALLIED
TRADES, DISTRICT
COUNCIL 16**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Salas v. Sierra Chemical Co.*, S196568, (see Cal. Rules of Court, rule 8.512 (d)(2), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S216033 G046736 Fourth Appellate District, Div. 3 **PEOPLE v. VEGA (DAVID DANIEL)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Conley*, S211275 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S216098 A140035 First Appellate District, Div. 2 **BRISTOL-MYERS SQUIBB COMPANY v. S.C. (ANDERSON)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division Two, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order to show cause why the relief sought in the petition should not be granted.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S193228 **RUSSELL (TIMOTHY) ON H.C.**

Dismissal order filed

The above-entitled case having become moot by petitioner's death on October 5, 2013, as indicated in the certified copy of a certificate of death filed with the motion to dismiss, the "Motion to Dismiss," filed on February 11, 2014, is granted and the petition is dismissed as moot.

S156659 **PRIETO (ALFREDO) ON H.C.**

Petition for writ of habeas corpus denied (AA)

Petitioner's "Request to File Supplemental Exhibits 88-102 to, and Supplemental Authority in Support of, Petition for Writ of Habeas Corpus" filed on December 2, 2013, is granted. The Clerk is directed to file Exhibits 88 through 102, which were lodged in this court on December 2, 2013. The petition for writ of habeas corpus, filed on September 21, 2007, is denied.

Claims 36 and 39 are denied as premature, without prejudice to renewal after an execution date is set.

Claim 35 is denied on the merits. (*People v. Duvall* (1995) 9 Cal.4th 464; *In re Hawthorne* (2005) 35 Cal.4th 40, 47.)

Claims 40 (to the extent it alleges ineffective assistance of prior habeas corpus counsel), and 41 through 43 are denied on the merits.

Except Claims 35, 36, 39, 40 (to the extent it alleges ineffective assistance of prior habeas corpus counsel), and 41 through 43, all of the claims are denied as untimely. (*In re Robbins* (1998) 18

Cal.4th 770, 780; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 459-476.)

Claims 5 and 38 are procedurally barred to the extent they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 490-496.)

Claims 2 through 4, 7, and 9 through 33, are procedurally barred to the extent they were raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 476-490.)

Claims 1 [subclaims A, C, F, G, J, K, L, N, and O] and 34 (to the extent it alleges ineffective assistance of trial counsel) are barred to the extent they were raised and rejected in petitioner's prior petition for writ of habeas corpus (S114708). (*In re Miller* (1941) 17 Cal.2d 734, 735; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 496-501.)

Claims 1 [subclaims B, D, E, H, I, M, and P], 5, 6, 8, 34 (to the extent it alleges a violation of the Eighth Amendment), 37, 38, and 40 (to the extent it alleges ineffective assistance of appellate counsel) are procedurally barred to the extent they could have been, but were not, raised in petitioner's prior petition for writ of habeas corpus (S114708). (*In re Clark* (1993) 5 Cal.4th 750, 767-768; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 501-505.)

Claims 6 and 8 are barred to the extent they could have been, but were not, raised in the trial court. (*In re Seaton* (2004) 34 Cal.4th 193, 198-200.) Justice Werdegarr would not apply the *Seaton* bar to these claims.

Justices Kennard, Werdegarr, and Liu would issue an order to show cause why petitioner's death sentence should not be vacated on the ground that he is intellectually disabled within the meaning of *Atkins v. Virginia* (2002) 536 U.S. 304, as alleged in Claim no. 35.

S201319**HAWTHORNE, JR.,
(ANDERSON) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on April 3, 2012, is denied. All claims are denied on the merits.

S201322**JACKSON (NOEL) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on April 3, 2012, is denied. All claims are denied on the merits.

S201327**HILLHOUSE (DANNIE RAY)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on April 3, 2012, is denied. All claims are denied on the merits.

S201330**DENNIS (WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on April 3, 2012, is denied. All claims are denied on the merits.

S201346**PROCTOR (WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on April 3, 2012, is denied. All claims are denied on the merits.

S214980

B239179 Second Appellate District, Div. 1

LOWERY (SCOTT E.) v. LOS ANGELES COMMUNITY COLLEGE DISTRICT

Petition for review denied

S214988

C062668 Third Appellate District

PEOPLE v. GRAY (MARK WAYNE)

The petition for review is denied without prejudice to the right to seek relief by way of petition for writ of habeas corpus. (See *People v. Harris* (1993) 5 Cal.4th 813, 841.)

S215230

E054725 Fourth Appellate District, Div. 2

PEOPLE v. SAMBRANO (JESSIE ESPINOZA)

Appellant Sambrano's petition for review is denied. Appellant Lares's petition for review is denied without prejudice to any relief to which he might be entitled after this court decides *People v. Elmore*, S188238.

S215268

G046249 Fourth Appellate District, Div. 3

PEOPLE v. HILL (CURTIS JAMES)

Petition for review denied

S215366

B239817 Second Appellate District, Div. 7

PEOPLE v. SHAW (IRVIN RANDOLPH)

Petitions for review denied

S215367 D063602 Fourth Appellate District, Div. 1

**SAN DIEGO UNIFIED
SCHOOL DISTRICT v.
WORKERS'
COMPENSATION APPEALS
BOARD & POINT LOMA
SURGICAL CENTER**

Petition for review & publication request(s) denied

S215376 A140394 First Appellate District, Div. 5

**KORNHAUSER (SAMUEL) v.
S.C. (BLOCK)**

Petition for review denied

S215378 F066244 Fifth Appellate District

**PEOPLE v. POTTER
(BENJAMIN)**

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

S215380 F062920 Fifth Appellate District

**PEOPLE v. PARKER (KATIE
LYNN)**

Petitions for review denied

S215395 B244332 Second Appellate District, Div. 4

**WRIGHT (SARA) v. MENZIES
AVIATION, INC.**

Petition for review denied

S215403 D058758/D059539 Fourth Appellate District, Div. 1 **KIRK (MARK B.) v. DIMITRI
(GUIDO)/(DIMITRI,
DIFFENDALE & KIRK
LLC)/(MARK B. KIRK, INC.)**

Petition for review denied

S215417 A134169 First Appellate District, Div. 1

**LEE (KAREN) v. FIDELITY
NATIONAL TITLE
INSURANCE COMPANY**

Petition for review & publication request(s) denied

S215425 F065038 Fifth Appellate District

Petition for review denied

PEOPLE v. SERNA (ISMAEL AUERLJO)

S215426 B233987 Second Appellate District, Div. 3
Petition for review denied

PEOPLE v. REVILL (NEIL)

S215428 B233780 Second Appellate District, Div. 8
Petition for review & publication request(s) denied

GUO (TERRY) v. AMERICAN PLUS BANK, N.A.

S215429 H037673 Sixth Appellate District
Petition for review denied

PEOPLE v. GRANT (CHARLES)

S215446 G047216/G047469 Fourth Appellate District, Div. 3
Petition for review denied

ORANGE COUNTY WATER DISTRICT v. TELEX COMMUNICATIONS HOLDINGS, INC.

S215461 D064676 Fourth Appellate District, Div. 1
Petition for review denied

SAN DIEGO UNIFIED SCHOOL DISTRICT v. WORKERS' COMPENSATION APPEALS BOARD & ARGUMANIZ-ROBLEDO (ESTHER)

S215471 H037990 Sixth Appellate District
Petition for review denied

PADAYAO (CHERRYMAE) v. ISLAND HOSPITALITY MANAGEMENT, INC.

S215473 B244832 Second Appellate District, Div. 7

Petition for review denied

**HUNTER (KYLE) v. CBS
BROADCASTING, INC.**

S215509 C072734 Third Appellate District

Petition for review denied

**PEOPLE v. JOHNSON
(KENNY RAY)**

S215534 B251985 Second Appellate District, Div. 8

Petition for review denied

**RADMAN (LINDA) v.
WORKERS'
COMPENSATION APPEALS
BOARD & CIGA**

S215553 B239867 Second Appellate District, Div. 5

Petition for review denied
The request for judicial notice is granted.

**PEOPLE v. JOHNSON
(TOMIEKIA)**

S215559 A137075 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SHERWIN
(JUDAH MALACHI)**

S215595 B241028 Second Appellate District, Div. 1

Appellant's petition for review is denied without prejudice to any relief to which he might be entitled after this court decides *People v. Diaz*, S205145.

**PEOPLE v. AREVALO
(MILTON M.)**

S215596 A136624 First Appellate District, Div. 1

Petition for review denied

**OLIVE LEAF LLC v. FIGONE
(FRANK)**

S215603 A134974 First Appellate District, Div. 1

Petition for review denied

PEOPLE v. BAEZ (GUMARO)

S215607 D059578 Fourth Appellate District, Div. 1

Petition for review denied

**PAVONE (BENJAMIN) v.
YEAGER (CHARLES E.)**

S215645 E055779 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GONZALES
(DANNY JOSEPH)**

S215723 B242664 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. NEWELL
(MICHAEL)**

S215726 B242632 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v.
KELLERSBERGER (JOSHUA
A.)**

S215728 B252488 Second Appellate District, Div. 8

Petition for review denied

Baxter, J., was recused and did not participate.

**YOUNAN PROPERTIES, INC.
v. S.C. (WELLS FARGO
BANK)**

S215731 G047609 Fourth Appellate District, Div. 3

Petition for review denied

IN RE G.P.

S215770 B235784 Second Appellate District, Div. 7

Petition for review & publication request(s) denied

**NEUWIRTH (RACHEL) v.
SILVERSTEIN (RICHARD)/
(BEININ)**

S215814 E055435 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HARWOOD
(BRIAN SAUL)**

S215817 C070777 Third Appellate District

Petition for review denied

PEOPLE v. RIOS (JUAN CARLOS)

S215844 D065215 Fourth Appellate District, Div. 1

Stay dissolved; petition denied

The petition for review is denied. The stay previously issued by this court is dissolved.

ALCANTAR (EDUARDO) v. S.C. (OFFICE OF THE CITY ATTORNEY)

S215851 B247726 Second Appellate District, Div. 6

Petition for review denied

The request for judicial notice is denied as unnecessary.

PROFESSIONAL COLLECTION CONSULTANTS v. BROWN (SCOTT L.)

S215852 B240862 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. FLORES (EDUARDO LALO)

S215871 B243963 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. MACAULEY (MOHAMED NEWLOVE)

S215877 F064729 Fifth Appellate District

Petition for review denied

PEOPLE v. MENDOZA (ANTHONY M.)

S215882 B253422 Second Appellate District, Div. 6

Petition for review denied

MIESEGAES (VADIM STANLEY) ON H.C.

S215908 B244478 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. TENORIO (WILFREDO L.)

S215911 B241377 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. NUNEZ
(FRANCISCO ARTURO)**

S215912 G049022 Fourth Appellate District, Div. 3

Petition for review denied

**LUCKETT (JOHN) v.
HAGGENS (JOREAN)**

S215941 A137895 First Appellate District, Div. 2

Petition for review denied

IN RE J.O.

S215949 B245014 Second Appellate District, Div. 6

Petitions for review denied

**PEOPLE v. VALLE
(MANUEL)**

S215951 D062832 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LUQUIN (JAVIER
ANGEL)**

S215952 G047419 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SANCHEZ
(APOLINAR HERNANDEZ)**

S215955 F063978 Fifth Appellate District

Petition for review denied

**PEOPLE v. SALAS (BENITO
SANCHEZ)**

S215957 D063476 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. APOSTOLAS
(STEVEN J.)**

S215963 A135644 First Appellate District, Div. 2

Petition for review denied

**MONGOOSE CAPITAL, INC.
v. RADIN, JR., (PETER M.)**

S215965	G047932 Fourth Appellate District, Div. 3	LUND (MICHELLE A.), CONSERVATORSHIP OF
Petition for review denied		
S215968	B252882 Second Appellate District, Div. 5	YURMAN (YALE) v. S.C. (PEOPLE)
Petition for review denied		
S215970	B235384 Second Appellate District, Div. 6	PEOPLE v. SOLIS (OSCAR)
Petition for review denied		
S215973	B243266 Second Appellate District, Div. 8	PEOPLE v. RENTERIA (JESUS G.)
Petition for review denied		
S215974	G046849 Fourth Appellate District, Div. 3	RIE (JIN) v. CITY OF LOS ANGELES
Petition for review denied		
S215993	D065229 Fourth Appellate District, Div. 1	DOSS (DEBRA) v. S.C. (GORE)
Petition for review denied		
S215999	E055743 Fourth Appellate District, Div. 2	PEOPLE v. MESKE (NIKOLAUS RYAN)
Petition for review denied		
S216000	B241925 Second Appellate District, Div. 3	PEOPLE v. WILSON (LUCIOUS)
Petition for review denied		

S216001**WALLACE (TYRONE) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION THREE
(PEOPLE)**

Petition for writ of mandate/prohibition denied

The petition for writ of mandate and motion to vacate are denied.

S216004 H040389 Sixth Appellate District**HAQUE (SERAJUL) v.
COUNTY OF SANTA CLARA**

Petition for review denied

S216006 C072756 Third Appellate District**PEOPLE v. KERESTESY
(XAVIER ALEXANDER)**

Petition for review denied

S216007 C072316 Third Appellate District**PEOPLE v. LOPEZ (JESUS)**

Petition for review denied

S216008 F064311 Fifth Appellate District**PEOPLE v. FLOREZ
(JOSEPH)**

Petition for review denied

S216013 B244980 Second Appellate District, Div. 4**SNYDER (BRUCE) v. CITY
OF LOS ANGELES (LITTLE
TOKYO SERVICE CENTER)**

Petition for review denied

S216015 B243640 Second Appellate District, Div. 7**SHADEED (RASHAD
MUSTAFAA) v. STATE OF
CALIFORNIA**

Petition for review denied

S216021 E054920 Fourth Appellate District, Div. 2**OGUNSANYA (CHARITY) v.
ABBOTT VASCULAR, INC.**

Petition for review denied

S216025 H039224 Sixth Appellate District

Petition for review denied

**PEOPLE v. CANDELARIA
(BENJAMIN)**

S216038 H037432 Sixth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ
(ALEJANDRO)**

S216043 H038021 Sixth Appellate District

Petition for review denied

**ADA-SAUCEDO (ALEXA) v.
PRAGMATIC
COMMUNICATIONS
SYSTEMS, INC.**

S216053 F068643 Fifth Appellate District

Petition for review denied

**ERWIN, JR., (WILLIE
GEORGE) v. S.C. (PEOPLE)**

S216055 E057283 Fourth Appellate District, Div. 2
Petition for review denied

PEOPLE v. ELIAS (PABLO)

S216073 C072433 Third Appellate District

Petition for review denied

**PEOPLE v. NADONE
(KHENNARY)**

S216078 B252540 Second Appellate District, Div. 4

Petition for review denied

**WILLIAMS (RODERICK
SHAWN) v. S.C. (MSW
PROPERTIES LLC)**

S216106

Petition for review denied

**PERRY (MOSHE) v. S.C.
(BARLEV)**

S216186**HARPER (GERALD A.) v. S.C.
(PEOPLE)**

Petition for writ of mandate/prohibition denied

S216284 F068516 Fifth Appellate District**PADILLA (JOSE R.) v. S.C.
(PEOPLE)**

Petition for review & application for stay denied

S216287 C075213 Third Appellate District**NAPOLES (FRANCISCO) v.
AGRICULTURAL LABOR
RELATIONS BOARD
(ARNAUDO BROTHERS LP)**Petition for review & application for stay denied
The request for an immediate stay is denied.**S213177****NEWTON (GEORGE
JACKSON) ON H.C.**

Petition for writ of habeas corpus denied

S213623**POLLEY (STEPHEN) ON H.C.**

Petition for writ of habeas corpus denied

S214044**SPENCER (CHARLES L.) ON
H.C.**

Petition for writ of habeas corpus denied

S214052**LOSOYA (DAVID) ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)**S214400****MAKAROV (VLADIMIR) ON
H.C.**The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063.)

S214879**BARTH (SHAWN D.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S215078**MORELAND (DESMOND
MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

S215154**ELLINGTON (MARCUS
RUBEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S215168**AYALA (ALEJANDRO) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S215169**DRIVER, JR., (BILLY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S215224**NGUYEN (VAN THANH) ON
H.C.**

Petition for writ of habeas corpus denied

S215232**VENJNOVIC (TATJANA) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S215239**RODGERS (MORRIS) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S215280**FEARENCE (JAQUES) ON
H.C.**

Petition for writ of habeas corpus denied

S215282**LEIVA (SAUL) ON H.C.**

Petition for writ of habeas corpus denied

S215285**STARKS (DERRICK V.) ON
H.C.**

Petition for writ of habeas corpus denied

S215289**GALINDO (OSCAR) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S215292**RODRIGUEZ (NAHU) ON
H.C.**

Petition for writ of habeas corpus denied

S215293**SHEDD (HERBERT) ON H.C.**

Petition for writ of habeas corpus denied

S215307**HAYDEN, JR., (ALPHONSO)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S215311**GOLAY (HELEN) ON H.C.**

Petition for writ of habeas corpus denied

S215312

Petition for writ of habeas corpus denied

**GRISSOM (HOWARD D.) ON
H.C.****S215314**

Petition for writ of habeas corpus denied

**ZAMUDIO (SOCORRO) ON
H.C.****S215315**

Petition for writ of habeas corpus denied

**WILLIAMS (JOHN WESLEY)
ON H.C.****S215316**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**ALVAREZ (DANIEL P.) ON
H.C.****S215325**

Petition for writ of habeas corpus denied

**THORNTON (AARON) ON
H.C.****S215329**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925.)**QUINNIE, JR., (GERNAY M.)
ON H.C.****S215331**

Petition for writ of habeas corpus denied

**JAMES (MICHAEL
TAVARIS) ON H.C.****S215334**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**GODOY (ENRIQUE) ON H.C.**

S215337**BOYD (THEODORA
RAYFORD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S215343**CALDERON (JUAN C.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S215381**BONTEMPS (GREGORY C.)
ON H.C.**

Petition for writ of habeas corpus denied

S215407**PIERCE (SEBREN A.) ON
H.C.**

Petition for writ of habeas corpus denied

S215431**STAMOS, JR., (JAMES
GEORGE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S215433**BARAJAS (RAUL A.) ON H.C.**

Petition for writ of habeas corpus denied

S215437**HIGHTOWER (RONALD
LEE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S215441**KHODAGULYAN
(RAYMOND) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S215460**MEZA (ROBERT
BANUELOS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S215466**ESTRADA, JR., (GABRIEL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S215469**LOPEZ (JESUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S215470**JENNINGS (MATTHEW
GEORGE) ON H.C.**

Petition for writ of habeas corpus denied

S215472**HERNANDEZ (JOSE) ON H.C.**

Petition for writ of habeas corpus denied

S215480**WALKER (AARON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S215560**THORNTON (AARON) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)

S215649**MEZA (ROBERT
BANUELOS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S215697**WHITE (LLOYD) ON H.C.**

Petition for writ of habeas corpus denied

S215787

Petition for writ of habeas corpus denied

**BALZARINI (ST. MICHAEL)
ON H.C.****S215892**

Petition for writ of habeas corpus denied

**ROSENBERGER (PAUL
RUSSELL) ON H.C.****S215901**

Petition for writ of habeas corpus denied

**PERROTON (JON ROBERT)
ON H.C.****S215946**

Petition for writ of habeas corpus denied

ALFARO (CESAR) ON H.C.**S216009**

Petition for writ of habeas corpus denied

**FELDER (ANTHONY E.) ON
H.C.****S216170**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

**DUNLAP (CHRISTOPHER
IVAN) ON H.C.****S213814** F064556 Fifth Appellate District

Depublication requests denied (case closed)
Kennard and Chin, JJ., were recused and did not participate.

**GLASKI (THOMAS A.) v. JP
MORGAN CHASE BANK,
N.A.****S215150** B246306 Second Appellate District, Div. 4

Publication request denied (case closed)

**LONG BEACH POLICE
OFFICERS ASSOCIATION v.
CITY OF LONG BEACH**

S215189	D062203 Fourth Appellate District, Div. 1	GOLDEN HILL NEIGHBORHOOD ASSOCIATION, INC. v. CITY OF SAN DIEGO
Publication request denied (case closed)		
S215405	B244265 Second Appellate District, Div. 4	ANDRADE (CLAUDIA) v. GUYS & DOLLS LLC
Publication request denied (case closed)		
S215563	G047885 Fourth Appellate District, Div. 3	CASTELLANOS (ALAN I.) v. QUALITY NISSAN, INC.
Publication request denied (case closed)		
S215574	B242080 Second Appellate District, Div. 1	WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA v. CITY OF CERRITOS
Depublication request denied (case closed)		
S215631	F064778 Fifth Appellate District	PEOPLE v. UNITED STATES FIRE INSURANCE COMPANY
Publication request denied (case closed)		
S215660	A138158 First Appellate District, Div. 5	GUTIERREZ (EMILIO) v. ODYSSEY LANDSCAPING COMPANY, INC.
Publication request denied (case closed)		
S215674	C067764 Third Appellate District	SOUTH COUNTY CITIZENS FOR SMART GROWTH v. COUNTY OF NEVADA (KKP LAKE OF THE PINES LLC)
Depublication request denied (case closed)		

S029551**PEOPLE v. JOHNSON (JOE EDWARD)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Kent Barkhurst's representation that the appellant's reply brief is anticipated to be filed by April 28, 2014, counsel's request for an extension of time in which to file that brief is granted to April 28, 2014. After that date, no further extension will be granted.

S087560**PEOPLE v. NADEY, JR.,
(GILES ALBERT)**

Extension of time granted

Good cause appearing, and based upon counsel Christopher Johns's representation that the appellant's reply brief is anticipated to be filed by November 14, 2014, counsel's request for an extension of time in which to file that brief is granted to April 25, 2014. After that date, only four further extensions totaling about 200 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).)

S091898**PEOPLE v. RUBIO (GILBERT RAUL)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Christina A. Spaulding's representation that the appellant's reply 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 April 28, 2014. After that date, only four further extensions totaling about 240 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).)

S095076**PEOPLE v. PENUNURI
(RICHARD)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that the appellant's reply brief is anticipated to be filed by June 23, 2014, counsel's request for an extension of time in which to file that brief is granted to April 21, 2014. After that date, only one further extension totaling about 62 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).)

S095223**PEOPLE v. BLOOM
(ROBERT MAURICE)**

Extension of time denied

The application of appellant for an extension of time to file appellant's reply brief is denied.

S140894**PEOPLE v. MIRACLE
(JOSHUA MARTIN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Andrea G. Asaro's representation that the appellant's opening brief is anticipated to be filed by September 12, 2014, counsel's request for an extension of time in which to file that brief is granted to April 28, 2014. After that date, only three further extensions totaling about 140 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).)

S169090**PEOPLE v. CHOYCE
(WILLIAM JENNINGS)**

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 April 28, 2014.

S177281**PEOPLE v. MAGALLON
(MIGUEL ANGEL)**

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 April 25, 2014.

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

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David C. Cook's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 31, 2014, counsel's request for an extension of time in which to file that document is granted to April 28, 2014. After that date, only two further extensions totaling about 90 additional days are contemplated.

S200464**SELF (CHRISTOPHER) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Geraldine S. Russell's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 15, 2014, counsel's request for an extension of time in which to file that document is granted to April 29, 2014. After that date, only three further extensions totaling about 170 additional days will be granted.

S206006**PARKER (GERALD) ON H.C.**

Extension of time granted

Good cause appearing, counsel'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 April 18, 2014. The court anticipates that after that date, only five further extensions totaling about 270 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S212256**LOPEZ (MICHAEL
AUGUSTINE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Alice B. Lustre's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 23, 2014, counsel's request for an extension of time in which to file that document is granted to April 21, 2014. After that date, only two further extensions totaling about 93 additional days are contemplated.

S213687

H038316 Sixth Appellate District

**PEOPLE v. TRUJILLO
(DONNA MARIE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply brief is extended to March 3, 2014.

S214362**LEE (VICTOR) 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 March 17, 2014.

S148863**PEOPLE v. FRAZIER
(ROBERT WARD)**

Record augmentation granted

Frazier's Motion to Augment the Certified Record, filed January 2, 2014, is granted. Pursuant to rules 8.634(c) and 8.155(a) of the California Rules of Court, the record on appeal is augmented to include the documents attached to this motion as Exhibit A, the Motion to Quash the Jury Venire proceedings of *People v. Ezekiel Johnson*, Contra Costa County Superior Court Case No. 05-041756-8.

S167303**SLAUGHTER (MICHAEL C.)
ON H.C.**

Order filed

Petitioner's "Motion to Amend Petition for Writ of Habeas Corpus" filed on January 6, 2014, is granted. Respondent may, but need not, file an informal response within 30 days of the date of this order; any reply thereto must be served and filed within 30 days thereafter.

S200923 A125557/A126827 First Appellate District, Div. 1 **DURAN (SAM) v. U.S. BANK
NATIONAL ASSOCIATION**

Order filed

The request by the appellant to file a responsive letter brief is hereby granted, and it is ordered that the brief is to be served and filed on or before February 28, 2014.

S173972 B199287 Second Appellate District, Div. 3 **LOEFFLER (KIMBERLY) v.
TARGET CORPORATION**

Request for judicial notice granted

In the above-entitled case, the request for judicial notice filed on May 5, 2010, is granted.

S216599**DEJARNETTE (JEANETTE)
ON H.C.**

Order filed

To permit consideration of the petition for writ of habeas corpus filed herein, the San Bernardino County Superior Court's order in *People v. Jeanette DeJarnette*, No. MVA 700785, that petitioner surrender into incarceration on February 27, 2014, is hereby stayed.

S216719**MAIMON (DAVID ISAAC) v.
S.C. (PEOPLE)**

Transferred to Court of Appeal, Sixth Appellate District

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

S213784**FAIRBAIRN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ADAM RANALD FAIRBAIRN, State Bar Number 168204, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ADAM RANALD FAIRBAIRN must comply with rule 9.20 of the California Rules of Court 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.

S213308**FAIRBAIRN ON
RESIGNATION**

Resignation declined

This court, having considered the request, declines to accept the voluntary resignation with disciplinary charges pending of ADAM RANALD FAIRBAIRN, State Bar Number 168204, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)