

**SUPREME COURT MINUTES  
THURSDAY, JANUARY 29, 2015  
SAN FRANCISCO, CALIFORNIA**

**S207536**      B234711 Second Appellate District, Div. 7      **RICHEY (AVERY) v. AUTONATION, INC.**

Opinion filed: Judgment reversed  
Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Corrigan, Liu, Baxter\*, and Duarte\*\*, JJ.

\* Retired Associate Justice of the Supreme Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

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

**S209167**      E055194 Fourth Appellate District, Div. 2      **JOHNSON (JAMES RICHARD) v. DEPARTMENT OF JUSTICE (PEOPLE)**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal and remand the matter to that court for further proceedings consistent with the views expressed herein.

Majority Opinion by Baxter, J.\*

-- joined by Cantil-Sakauye, C. J., Chin, Corrigan, and Elia\*\*, JJ.

Dissenting Opinion by Werdegar, J.

-- joined by Liu, J.

\* Retired Associate Justice of the Supreme Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

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

**S223079**      **COLEN (JOHN V.) v. S.C.**

Vexatious litigant application denied

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

**S223948****WHITAKER (FRED A.) v.  
COURT OF APPEAL, FIRST  
APPELLATE DISTRICT**

Vexatious litigant application denied

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

**S078895****PEOPLE v. SIVONGXXAY  
(VAENE)**

Extension of time granted

Good cause appearing, counsel Deputy State Public Defender Douglas Ward's request for an extension of time to file the letter briefs requested by the court is granted. The parties are directed to serve and file simultaneous letter briefs addressing the question set forth in this court's January 14, 2015 order on or before March 11, 2015, and may serve and file simultaneous reply briefs on or before March 25, 2015. No further extension of time for the filing of these briefs is contemplated.

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

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Craig Buckser's representation that appellant Loot's reply brief is anticipated to be filed by March 4, 2015, counsel's request for an extension of time in which to file that brief is granted to March 4, 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).)

**S118775****PEOPLE v. WILSON  
(JAVANCE MICKEY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Craig Buckser's representation that the appellant's reply brief is anticipated to be filed by January 20, 2016, counsel's request for an extension of time in which to file that brief is granted to March 23, 2015. After that date, only five further extensions totaling about 300 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).)

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

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.

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that the appellant's opening brief is anticipated to be filed by December 31, 2015, counsel's request for an extension of time in which to file that brief is granted to February 26, 2015. After that date, only five further extensions totaling about 307 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).)

**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 March 5, 2015. After that date, no further extension is contemplated.

**S181555****PEOPLE v. MARTIN  
(VALERIE DEE)**

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 March 9, 2015.

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

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 March 23, 2015.

**S217738** C067758/C067765/C068469

Third Appellate District

**PROPERTY RESERVE, INC.  
v. S.C. (DEPARTMENT OF  
WATER RESOURCES)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to February 23, 2015.

**S217896** F065450/F065451/F065689

Fifth Appellate District

**PEOPLE v. GREWAL  
(KIRNPAL)**

Extension of time granted

On application of appellant's Kirnpal Grewal, Phillip Ernest Walker, and John C. Stidman and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to February 18, 2015.

No further extensions of time will be granted.

**S218861** D063394 Fourth Appellate District, Div. 1**PEOPLE v. CASTILLOLOPEZ  
(EMMANUEL)**

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 February 20, 2015.

**S219327****WILLIAMS (DEXTER  
WINFRED) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Richard G. Novak's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 22, 2015, counsel's request for an extension of time in which to file that document is granted to March 23, 2015. After that date, only two further extensions totaling about 90 additional days are contemplated.

**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 April 1, 2015. After that date, only two further extensions totaling about 90 additional days are contemplated.

**S222329**

B248536 Second Appellate District, Div. 7

**926 NORTH ARDMORE  
AVENUE v. COUNTY OF LOS  
ANGELES**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to March 25, 2015.

**S223461****HENDERSON (PAUL  
NATHAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Jennifer A. Jadovitz's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by September 1, 2015, counsel's request for an extension of time in which to file that document is granted to March 30, 2015. After that date, only three further extensions totaling about 155 additional days are contemplated.

**S199667****PEOPLE v. GRAHAM  
(JAWAUN DEION)**

Order appointing State Public Defender filed

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Jawaun Deion Graham for the direct appeal in the above automatic appeal now pending in this court.

**S221958**

E054056 Fourth Appellate District, Div. 2

**PEOPLE v. CANIZALES  
(MICHAEL RAFAEL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, David Lampkin is hereby appointed to represent appellant Keandre Windfield 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.

**S163417****PEOPLE v. DIXON (JAMES  
WINSLOW)**

Order filed

Good cause appearing, appellant's "Appellant's Request for Relief from Default From Failing to File Appellant's Reply Brief," filed on January 15, 2015, is granted.

Appellant's application for extension of time to file the appellant's reply brief is denied as moot.

**S216626****TOWNSEL (ANTHONY  
LETRICE) ON H.C.**

Order filed

Respondent's request for relief from default to file the informal response and the exhibits in support of the informal response is granted.

**S223911****W. (D.), GUARDIANSHIP OF**

Transferred to Court of Appeal, First Appellate District

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

**S224089****FISHER (SKYY  
DE'ANTHONY) 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.

**S222871****AMUCHA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that AZUKA AMUCHA, State Bar Number 233891, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

AZUKA AMUCHA 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.

**S222872****ESTRADA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROSE MARIE ESTRADA, State Bar Number 214510, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

ROSE MARIE ESTRADA 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.

**S222873****FOGEL ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOSEPH S. FOGEL, State Bar Number 156746, 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. JOSEPH S. FOGEL is suspended from the practice of law for the first six months of probation;
2. JOSEPH S. FOGEL 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 25, 2014 and as modified in its Order Modifying Stipulation filed on September 12, 2014; and
3. At the expiration of the period of probation, if JOSEPH S. FOGEL has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOSEPH S. FOGEL 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).)

JOSEPH S. FOGEL 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 JOSEPH S. FOGEL 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.

**S222875****FRIAS ON DISCIPLINE**

Recommended discipline imposed

The court orders that RUBEN DAVID FRIAS, State Bar Number 245975, 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. RUBEN DAVID FRIAS is suspended from the practice of law for the first 60 days of probation;
2. RUBEN DAVID FRIAS 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 1, 2014; and
3. At the expiration of the period of probation, if RUBEN DAVID FRIAS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RUBEN DAVID FRIAS 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 his membership fees for each of the years 2016, 2017, and 2018. If RUBEN DAVID FRIAS 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.

**S222876****FRIED ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JONATHAN ADRIEL FRIED, State Bar Number 257631, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JONATHAN ADRIEL FRIED must make restitution to the following payees:

- (1) Robert Hansen and Pamela Pesce-Hansen in the amount of \$7,500 plus 10 percent interest per year from May 1, 2011;
- (2) Valerie Gornaia in the amount of \$7,500 plus 10 percent interest per year from October 19, 2012;
- (3) Kristi Sandford in the amount of \$2,000 plus 10 percent interest per year from March 8, 2012;
- (4) Brandy Trueman in the amount of \$7,500 plus 10 percent interest per year from February 19, 2013;
- (5) Cynthia Stoll in the amount of \$3,000 plus 10 percent interest per year from November 20, 2012; and
- (6) Dilip Khare in the amount of \$4,000 plus 10 percent interest per year from January 5, 2013.

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

JONATHAN ADRIEL FRIED 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.

**S222877****LUCKE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM PAUL LUCKE, State Bar Number 51030, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM PAUL LUCKE must make restitution to Shirley and Bryan Hewitt in the amount of \$13,140 plus 10 percent interest per year from January 25, 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).

WILLIAM PAUL LUCKE 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.

**S222906****SINTON ON DISCIPLINE**

Recommended discipline imposed

The court orders that STARR JAN SINTON, State Bar Number 60017, 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. STARR JAN SINTON is suspended from the practice of law for the first 90 days of probation;
2. STARR JAN SINTON 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 September 25, 2014; and
3. At the expiration of the period of probation, if STARR JAN SINTON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

STARR JAN SINTON 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 STARR JAN SINTON 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.

**S222907****STERKIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that SIERRA DAVID STERKIN, State Bar Number 234356, 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. SIERRA DAVID STERKIN is suspended from the practice of law for the first six months of probation (with credit given for the period of interim suspension commencing on May 14, 2012, and terminating on March 12, 2013).
2. SIERRA DAVID STERKIN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 23, 2014.
3. At the expiration of the period of probation, if SIERRA DAVID STERKIN 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.

**S222908****TOFER ON DISCIPLINE**

Recommended discipline imposed

The court orders that OMID ALEX TOFER, State Bar Number 212308, 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. OMID ALEX TOFER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 25, 2014, as modified by its order filed on October 15, 2014; and
2. At the expiration of the period of probation, if OMID ALEX TOFER has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

OMID ALEX TOFER 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 OMID ALEX TOFER 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.

**S222909****WHITENACK ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that SCOTT BRYAN WHITENACK, State Bar Number 102950, 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. SCOTT BRYAN WHITENACK is suspended from the practice of law for a minimum of the first two years of probation (with credit given for the period of interim suspension which commenced on February 3, 2014), 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. SCOTT BRYAN WHITENACK 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 September 19, 2014; and
3. At the expiration of the period of probation, if SCOTT BRYAN WHITENACK has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

SCOTT BRYAN WHITENACK 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).)

SCOTT BRYAN WHITENACK 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 SCOTT BRYAN WHITENACK 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.

**S222915****HEILWEIL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAMON MICHAEL HEILWEIL, State Bar Number 206620, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAMON MICHAEL HEILWEIL must make restitution to Petros Tagaryan in the amount of \$1,460 plus 10 percent interest per year from January 1, 2013. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

DAMON MICHAEL HEILWEIL 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.

**S222926****HERRING ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JANET MARIE HERRING, State Bar Number 110676, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

JANET MARIE HERRING 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.

**S222931****JONES-COFIELD ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARILEE JONES-COFIELD, State Bar Number 100963, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

MARILEE JONES-COFIELD must make restitution to the following payees:

- (1) Evelyn Scott in the amount of \$83,204.33 plus 10 percent interest per year from May 14, 2013;
- (2) Theodis Scott, Jr., in the amount of \$25,000 plus 10 percent interest per year from May 14, 2013;
- (3) Virginia Scott in the amount of \$25,000 plus 10 percent interest per year from May 14, 2013; and
- (4) Joseph Scott in the amount of \$25,000 plus 10 percent interest per year from May 14, 2013.

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

MARILEE JONES-COFIELD 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.

**S222934****JOSEPH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL ANTONIO JOSEPH, State Bar Number 76924, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. MICHAEL ANTONIO JOSEPH 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.

**S222938****MARSH ON DISCIPLINE**

Recommended discipline imposed

The court orders that TODD EUGENE MARSH, State Bar Number 176065, 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. TODD EUGENE MARSH 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. TODD EUGENE MARSH must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 26, 2014.
3. At the expiration of the period of probation, if TODD EUGENE MARSH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

TODD EUGENE MARSH 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).)

TODD EUGENE MARSH 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.

**S222940****MARTINEZ ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WALTER STEVEN MARTINEZ, State Bar Number 153163, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. WALTER STEVEN MARTINEZ must make restitution to the following payees and furnish satisfactory proof payment to the State Bar's Office of Probation within 30 days of the effective date of this order:

- (1) Ba Nguy in the amount of \$6,225 plus 10 percent interest per year from September 23, 2008;
  - (2) Nga Lam in the amount of \$6,325 plus 10 percent interest per year from September 23, 2008;
  - (3) Kim Dang in the amount of \$9,200 plus 10 percent interest per year from August 8, 2008; and
  - (4) Huy Dang in the amount of \$10,300 plus 10 percent interest per year from August 8, 2008.
- Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

WALTER STEVEN MARTINEZ 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.

**S222942****PRATT ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHAD THOMAS PRATT, State Bar Number 149746, 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. CHAD THOMAS PRATT is suspended from the practice of law for a minimum of the first year 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) Tracy Tormé in the amount of \$6,650 plus 10 percent interest per year from February 27, 2013;
    - (2) Jesse Rivera in the amount of \$4,209.65 plus 10 percent interest per year from March 9, 2013; and
    - (3) Michele Pickerell in the amount of \$6,000 plus 10 percent interest per year from March 12, 2013.
  - 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. CHAD THOMAS PRATT must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 18, 2014.
  3. At the expiration of the period of probation, if CHAD THOMAS PRATT has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CHAD THOMAS PRATT 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.

**S222943****SKOOG, JR., ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM ARTHUR SKOOG, JR., State Bar Number 113978, 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. WILLIAM ARTHUR SKOOG, JR., is suspended from the practice of law for the first 90 days of probation;
2. WILLIAM ARTHUR SKOOG, JR., must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 25, 2014; and

3. At the expiration of the period of probation, if WILLIAM ARTHUR SKOOG, JR., has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM ARTHUR SKOOG, 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.

**S222945****PARRA ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL PARRA, State Bar Number 216596, 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. MICHAEL PARRA 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. MICHAEL PARRA 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 October 8, 2014.
3. At the expiration of the period of probation, if MICHAEL PARRA has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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

**S224033****CUMMINS ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUZANNE CARE CUMMINS, State Bar Number 88191, as a member of the State Bar of California is accepted.

SUZANNE CARE CUMMINS must also 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.

**S224047****GANDY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of HAROLD ALAN GANDY, State Bar Number 88411, as a member of the State Bar of California is accepted.

HAROLD ALAN GANDY must also 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.

**S224048****GOLDBERG ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LISA MIRIAM GOLDBERG, State Bar Number 170802, as a member of the State Bar of California is accepted.

LISA MIRIAM GOLDBERG must also 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.

**S224051****JACOBY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RACHEL SUE JACOBY, State Bar Number 181499, as a member of the State Bar of California is accepted.

RACHEL SUE JACOBY must also 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.

**S224052****KENFIELD ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DEXTER LYNN KENFIELD, State Bar Number 113777, as a member of the State Bar of California is accepted.

DEXTER LYNN KENFIELD must also 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.

**S224057****LEE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RANDAL KWAI ON LEE, State Bar Number 141245, as a member of the State Bar of California is accepted.

RANDAL KWAI ON LEE must also 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.

**S224060****RUDOLPH ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARGARETHA BENGSTON RUDOLPH, State Bar Number 124169, as a member of the State Bar of California is accepted.

MARGARETHA BENGSTON RUDOLPH must also 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.

**S224097****RUSSELL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELLEN HIRVELA RUSSELL, State Bar Number 165129, as a member of the State Bar of California is accepted.

ELLEN HIRVELA RUSSELL must also 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.

**S224098****SMALL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JENNIFER SMALL, State Bar Number 165134, as a member of the State Bar of California is accepted.

JENNIFER SMALL must also 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.

**S224100****SYMONS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL JOSEPH SYMONS, State Bar Number 160571, as a member of the State Bar of California is accepted.

MICHAEL JOSEPH SYMONS must also 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.

**S224102****TEITELBAUM ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KATHI WEISS TEITELBAUM, State Bar Number 129895, as a member of the State Bar of California is accepted.

KATHI WEISS TEITELBAUM must also 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.

**S224103****VINCENT ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARCIA SELENE VINCENT, State Bar Number 153544, as a member of the State Bar of California is accepted.

MARCIA SELENE VINCENT must also 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.

**S224104****WALTON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANE WALTON, State Bar Number 79221, as a member of the State Bar of California is accepted.

JANE WALTON must also 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.

**S224105****WHITEHEAD ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LINDA PEARL WHITEHEAD, State Bar Number 222799, as a member of the State Bar of California is accepted.

LINDA PEARL WHITEHEAD must also 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.

**S224106****ZELINSKY ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID BERNARD ZELINSKY, State Bar Number 119296, as a member of the State Bar of California is accepted.

DAVID BERNARD ZELINSKY must also 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.

**Fourth Appellate District, Div. 2      TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division One:

- |     |         |                                 |
|-----|---------|---------------------------------|
| 1.  | E060686 | People v. Demus Peterson        |
| 2.  | E060670 | People v. Delio Ospino          |
| 3.  | E059839 | People v. Froylan Chiprez       |
| 4.  | E059827 | People v. Roy Esquivel          |
| 5.  | E060104 | People v. Ryan Rude             |
| 6.  | E059222 | People v. Alice Zylstra         |
| 7.  | E059716 | People v. Ade Warren            |
| 8.  | E060033 | People v. Jesse Aguilar         |
| 9.  | E059978 | People v. Ruben Abad et al.     |
| 10. | E058188 | People v. Martin Morales et al. |
| 11. | E060286 | People v. Bryan Hill            |
| 12. | E060796 | People v. Joel Morales          |
| 13. | E059274 | People v. Michael Penix et al.  |
| 14. | E059301 | People v. Daquan Branch et al.  |

15.	E058048	People v. Marcos Albarran
16.	E058934	People v. Vernon Fredrick et al.
17.	E059898	People v. Jose Maldonado
18.	E058611	People v. Kyle Miller et al.
19.	E058056	People v. Cory Belcher
20.	E059326	People v. Alfonso Alegria
21.	E059608	People v. Thomas Hernandez
22.	E060032	People v. Van Rollen
23.	E058703	People v. Jason Garcia
24.	E059547	People v. Joseph Grim
25.	E059606	People v. Darius Knight
26.	E059644	People v. Sammie George
27.	E059439	Steven Weiner v. Centex Homes
28.	E058512	Kimberly-Shirk Association v. Neil Jamron et al; Sajid Ahmed et al.
29.	E058596	David Litt v. Eisenhower Medical Center et al.
30.	E059951	Miriam Navarrete et al. v. Hayley Meyer
31.	E059168	In re the Marriage of Paul and Elaine Kasteiner Paul Kasteiner v. Elaine Kasteiner
32.	E059355	In re the Marriage of Jianyi Zhang and Luo Zheng Jianyi Zhang v. Luo Zheng
33.	E060726	Karolyn Flannigan v. Onuldo, Inc., et al.
34.	E059984	Steven Kerper v. Richard Sauer
35.	E059511	Teresa Anaya et al. v. Quicktrim, LLC et al.; Sandra Monsalve
36.	E058425	Diane Palmer v. JP Morgan Chase Bank, N.A.; as Successor, etc.
37.	E060258	Faith Brashear v. Bank of America, N.A., et al.
38.	E059012	Tawana Golston et al. v. Hertz Equipment Rental Corporation
39.	E059808	Maravilla Center, LLC et al. v. First Citizens Bank and Trust Company; Valley Circle Estates Realty Company et al.
40.	E058773	Equivest, LLC v. D.R. West, LLC et al.; Golden State Enterprises, LLC et al.
41.	E060778	Warren McCoy v. Perris Union High School District et al.
42.	E059461	Timothy Gould et al. v. California Department of Corrections
43.	E060035	Lois Green et al. v. County of Riverside et al.
44.	E060068	Ghia Patton v. City of Montclair
45.	E060365	Twenty-Nine Palms Enterprises Corporation v. Cadmus Construction, Inc.

**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,187)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)