

**SUPREME COURT MINUTES  
THURSDAY, JULY 2, 2015  
SAN FRANCISCO, CALIFORNIA**

**S051342****PEOPLE v. CUNNINGHAM  
(JOHN LEE)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Werdegar, J.

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

**S219454**      B249651 Second Appellate District, Div. 3**PEOPLE v. JOHNSON  
(TIMOTHY WAYNE)****S219819**      B249557 Second Appellate District, Div. 1**PEOPLE v. MACHADO  
(OSCAR)**

Opinion filed: Judgment affirmed in full

In *People v. Johnson* (S219454), we hold that for purposes of resentencing under section 1170.126, the characterization of the current offense as serious or violent is based on the law as of the effective date of Proposition 36, November 7, 2012. In *People v. Machado* (S219819), we hold that an inmate is eligible for resentencing with respect to a current offense that is neither serious nor violent despite the presence of another current offense that is serious or violent. Therefore, we affirm the judgment of the Court of Appeal in each case.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S226771**      B263438 Second Appellate District, Div. 1**GERSHOVICH (GREG) v. S.C.  
(IPPT CAREER SCHOOL,  
INC.)**

Petition for review &amp; application for stay denied

**S226230**      F066338 Fifth Appellate District**PEOPLE v. NAVA (LUIS  
ALBERTO ALARCON)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 6, 2015.

**S226281**      B263284 Second Appellate District, Div. 4      **FLYNN (COLLEEN) ON H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to August 5, 2015.

**S226284**      B260798 Second Appellate District, Div. 4      **BNSF RAILWAY COMPANY  
v. S.C. (KRALOVETZ)**  
The time for granting or denying review in the above-entitled matter is hereby extended to August 5, 2015.

**S226309**      B256624 Second Appellate District, Div. 6      **PEOPLE v. HALL (ROBERT  
VICTOR)**  
The time for granting or denying review in the above-entitled matter is hereby extended to August 6, 2015.

**S226311**      A140923/A140420 First Appellate District, Div. 1      **CADC/RAD VENTURE 2011-1  
LLC v. BRADLEY (RICHARD  
J.)**  
The time for granting or denying review in the above-entitled matter is hereby extended to August 6, 2015.

**S226317**      G051629 Fourth Appellate District, Div. 3      **WEST MARINE, INC. v. S.C.  
(AYALA)**  
The time for granting or denying review in the above-entitled matter is hereby extended to August 6, 2015.

**S146528**      **PEOPLE v. SNYDER  
(JANEEN MARIE) &  
THORNTON (MICHAEL  
FORREST)**

Extension of time granted

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

**S146528****PEOPLE v. SNYDER  
(JANEEN MARIE) &  
THORNTON (MICHAEL  
FORREST)**

Extension of time granted

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

**S166168****PEOPLE v. LAMB (MICHAEL  
ALLAN)**

Extension of time granted

Good cause appearing, and based upon counsel Kathy Moreno's representation that the appellant's reply brief is anticipated to be filed by February 25, 2016, counsel's request for an extension of time in which to file that document is granted to August 28, 2015. After that date, only three further extensions totaling about 180 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).)

**S168204****PEOPLE v. MOSLEY (BARRY  
WENDELL)**

Extension of time granted

Good cause appearing, and based upon counsel Ronald Turner's representation that the appellant's opening brief is anticipated to be filed by October 1, 2015, counsel's request for an extension of time in which to file that brief is granted to September 2, 2015. After that date, only one further extension totaling about 30 additional days is contemplated.

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

**S182341****PEOPLE v. BUETTNER  
(JEFFREE JAY) & JONES  
(GLEN JOSEPH)**

Extension of time granted

The application of appellant Jeffree Jay Buettner 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 August 18, 2015.

**S182341****PEOPLE v. BUETTNER  
(JEFFREE JAY) & JONES  
(GLEN JOSEPH)**

Extension of time granted

On application of appellant Glen Joseph Jones and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to August 18, 2015.

**S188589****PEOPLE v. VALLES, JR.,  
(PEDRO CORTEZ)**

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 August 28, 2015

**S222935****VELASQUEZ (RICARDO) ON  
H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to July 31, 2015.

**S224428****RAMOS, JR., (WILLIAM J.)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Assistant Federal Public Defender David Christensen's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by August 4, 2015, counsel's request for an extension of time in which to file that document is granted to August 4, 2015. After that date, no further extension is contemplated.

**S224985****FREALY (TODD A.) v.  
REYNOLDS (RICK H.)**

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 July 31, 2015.

**S226758**

E063534 Fourth Appellate District, Div. 2

**SIRINGORINGO (STEPHEN  
LYSTER) v. S.C. (PEOPLE)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to July 24, 2015.

**S203514****PEOPLE v. HUGHES  
(MICHAEL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Randall Bookout is hereby appointed to represent appellant Michael Hughes for the direct appeal in the above automatic appeal now pending in this court.