

**SUPREME COURT MINUTES
TUESDAY, MARCH 3, 2015
SAN FRANCISCO, CALIFORNIA**

S224403 B256997 Second Appellate District, Div. 2 **KEMPLER (GREG) v. CLS
TRANSPORTATION OF LOS
ANGELES**

Petition for review & application for stay denied
The request to appear as counsel pro hac vice is granted.
The petition for review and application for stay are denied.

S224750 C074302 Third Appellate District **PEOPLE v. SALDANA
(SILVERIO)**

Time for ordering review extended on the court's own motion
The time for granting review on the court's own motion is hereby extended to April 1, 2015.
(Cal. Rules of Court, rule 8.512 (c).)

S134792 **PEOPLE v. HUGHES
(MERVIN RAY)**

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 May 1, 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 April 28, 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 April 28, 2015.

S151172**PEOPLE v. FORD (WAYNE
ADAM)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that the appellant's opening brief is anticipated to be filed by August 31, 2015, counsel's request for an extension of time in which to file that brief is granted to May 4, 2015. After that date, only two further extensions totaling about 120 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).)

S168441**PEOPLE v. McKNIGHT
(ANTHONY)**

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 May 1, 2015.

S176951**HAWTHORNE II (CARLOS
ANTHONY) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Christina Sandidge's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by September 2, 2015, counsel's request for an extension of time in which to file that document is granted to May 4, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S180174**PEOPLE v. ALVAREZ
(ALBERTO)**

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 24, 2015.

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

Extension of time granted

On application of appellant Jeffree Jay Buettner and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 20, 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 April 28, 2015.

S198132**PEOPLE v. FAYED (JAMES
MICHAEL)**

Extension of time granted

Good cause appearing, and based upon counsel Kelly C. Quinn's representation that the appellant's reply brief is anticipated to be filed by November 2, 2015, counsel's request for an extension of time in which to file that brief is granted to May 6, 2015. After that date, only three further extensions totaling about 180 additional days will be granted.

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

S222737**JOHNSON (JOE EDWARD)
ON H.C.**

Extension of time granted

The application of respondent for relief from default for the failure to timely file respondent's request for extension of time is granted.

Good cause appearing, and based upon Deputy Attorney General Melissa Lipon's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 26, 2015, counsel's request for an extension of time in which to file that document is granted to April 27, 2015. After that date, only one further extension totaling about 60 additional days is contemplated.

S223676 C073949 Third Appellate District**PEOPLE v. CHANEY
(CLIFFORD PAUL)**

Counsel appointment order filed

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

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

S218176 B248038 Second Appellate District, Div. 4**RAMOS (FLAVIO) v.
BRENTAG SPECIALTIES,
INC.**

Order filed

The application of respondent, Resource Building Materials for permission to file a untimely joinder to the reply brief on the merits is hereby granted.

S223276**SOUKUP ON DISCIPLINE**

Order filed

The order filed on February 25, 2015, suspending BARBARA SEHNAL SOUKUP is hereby amended to read in its entirety:

"The court orders that BARBARA SEHNAL SOUKUP, State Bar Number 240341, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and she is placed on probation for five years subject to the following conditions:

1. BARBARA SEHNAL SOUKUP is suspended from the practice of law for a minimum of two years of probation (with credit given for the period of interim suspension that commenced on October 18, 2013), and she will remain suspended until the following condition is satisfied:
 - i. BARBARA SEHNAL SOUKUP provides proof to the State Bar Court of her 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. BARBARA SEHNAL SOUKUP must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its filed on November 13, 2014.
3. At the expiration of the period of probation, if BARBARA SEHNAL SOUKUP has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

BARBARA SEHNAL SOUKUP must also take and pass the Multistate Professional Responsibility Examination during the period of her 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).)

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 her membership fees for each of the years 2016 and 2017. If BARBARA SEHNAL SOUKUP 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.”

S223208**COGHLAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEPHEN JOHN COGHLAN, State Bar Number 203376, 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. STEPHEN JOHN COGHLAN 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 16, 2014; and
2. At the expiration of the period of probation, if STEPHEN JOHN COGHLAN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEPHEN JOHN COGHLAN 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 STEPHEN JOHN COGHLAN 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.

S223248**BURKE ON DISCIPLINE**

Recommended discipline imposed

The court orders that GREGORY MOLINA BURKE, State Bar Number 188891, 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. GREGORY MOLINA BURKE is suspended from the practice of law for a minimum of the first nine months of probation, and he will remain suspended until he pays the sanctions ordered by the San Bernardino Superior Court in the total amount of \$1,615, and furnishes satisfactory proof of payments to the State Bar’s Office of Probation in Los Angeles.
2. GREGORY MOLINA BURKE must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on October 3, 2014.

3. At the expiration of the period of probation, if GREGORY MOLINA BURKE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GREGORY MOLINA BURKE 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).)

GREGORY MOLINA BURKE 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.

S223252**ISOBE ON DISCIPLINE**

Recommended discipline imposed

The court orders that TERENCE WYNN ISOBE, State Bar Number 154933, 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. TERENCE WYNN ISOBE is suspended from the practice of law for the first 30 days of probation;
2. TERENCE WYNN ISOBE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on September 16, 2014; and
3. At the expiration of the period of probation, if TERENCE WYNN ISOBE has complied with all conditions of probation, the two years period of stayed suspension will be satisfied and that suspension will be terminated.

TERENCE WYNN ISOBE 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.

S223255**BYE ON DISCIPLINE**

Recommended discipline imposed

The court orders that GEORGE HARVEY BYE, State Bar Number 56666, 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. GEORGE HARVEY BYE must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 4, 2014; and
2. At the expiration of the period of probation, if GEORGE HARVEY BYE has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

GEORGE HARVEY BYE 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 GEORGE HARVEY BYE 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.

S223257**AKANA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL PAOA AKANA, State Bar Number 80882, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MICHAEL PAOA AKANA must make restitution to Yvonne Lee in the amount of \$1,200 plus 10 percent interest per year from February 1, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

MICHAEL PAOA AKANA 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.

S223259**BALENT ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN ALBERT BALENT, State Bar Number 70060, 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. JOHN ALBERT BALENT is suspended from the practice of law for the first 60 days of probation;
2. JOHN ALBERT BALENT 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 November 13, 2014; and
3. At the expiration of the period of probation, if JOHN ALBERT BALENT has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN ALBERT BALENT 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 2016 and 2017. If JOHN ALBERT BALENT 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.

**SUPREME COURT MINUTES
TUESDAY, MARCH 3, 2015
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, March 3, 2015, at 9:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger.

Officers present: Frank A. McGuire, Clerk, Jorge Navarrete, Assistant Clerk Administrator, and Gail Gray, Calendar Coordinator.

S198616 In re
 Cipro Cases I and II

Cause called. Mark A. Lemley argued for Appellants.
Edwin John U argued for Respondents.

Mr. Lemley replied.
Cause submitted.

S215132 State Department of State Hospitals et al., Petitioners,
 v.
 Superior Court of Los Angeles County, Respondent;
 Elaina Novoa, Individually and as Personal Representative, etc., Real Party
 in Interest.

Cause called. Michael Kevin Underhill argued for Real Party in Interest.
Paul Arentz argued for Petitioner.

Mr. Underhill replied.
Cause submitted.

S215637 South Coast Framing, Inc., et al., Petitioners,
 v.
 Workers' Compensation Appeals Board and Brandon Clark et al.,
 Respondents.

Cause called. Daniel Palasciano argued for Respondents.
Bernard Baltaxe argued for Amicus Curiae, California Applicants'
Attorneys Association.
Louis A. Larres argued for Petitioners.

Mr. Palasciano replied.
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the court and officers present as first shown.

S212157 The People, Plaintiff and Respondent,
 v.
 Joshua Cross, Defendant and Appellant.

Cause called. John R. Hargreaves, Court-appointed Counsel,
argued for Appellant.
Catherine Tennant Nieto, Office of the Attorney General, argued for
Respondent.

Mr. Hargreaves replied.
Cause submitted.

S212346

In re R.V., a Person Coming Under the Juvenile Court Law.

The People, Plaintiff and Respondent,
v.
R.V., Defendant and Appellant.

Cause called. Cindy Brines, Court-appointed Counsel,
argued for Appellant.
Kathryn Kirschbaum, Office of the Attorney General, argued for
Respondent.

Ms. Brines replied.
Cause submitted.

S083594

The People, Plaintiff and Respondent,
v.
Tommy Adrian Trujeque, Defendant and Appellant.

Cause called. Christina Spaulding, Office of the State Public Defender,
argued for Appellant.
Eric Kohm, Office of the Attorney General, argued for
Respondent.

Ms. Spaulding replied.
Cause submitted.

Court adjourned.