

**SUPREME COURT MINUTES
FRIDAY, MARCH 3, 2017
SAN FRANCISCO, CALIFORNIA**

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

Order filed

Pursuant to the order filed on December 27, 2016, consolidating the above entitled case with *People v. Valencia*, S223825, the title is amended as follows:

Court of Appeal, Fifth Appellate District - No. F067946

Court of Appeal, Third Appellate District - No. C073949

S223825 and S223676

THE PEOPLE, Plaintiff and Respondent,

v.

DAVID JOHN VALENCIA, Defendant and Appellant.

THE PEOPLE, Plaintiff and Respondent,

v.

CLIFFORD PAUL CHANEY, Defendant and Appellant.

S223825 F067946 Fifth Appellate District **PEOPLE v. VALENCIA
(DAVID JOHN)**

Order filed

Pursuant to the order filed on December 27, 2016, consolidating the above-entitled case with *People v. Chaney*, S223676, the title is amended as follows:

Court of Appeal, Fifth Appellate District - No. F067946

Court of Appeal, Third Appellate District - No. C073949

S223825 and S223676

THE PEOPLE, Plaintiff and Respondent,

v.

DAVID JOHN VALENCIA, Defendant and Appellant.

THE PEOPLE, Plaintiff and Respondent,

v.

CLIFFORD PAUL CHANEY, Defendant and Appellant.

S223825 F067946 Fifth Appellate District

**PEOPLE v. VALENCIA
(DAVID JOHN)**

S223676 C073949 Third Appellate District

**PEOPLE v. CHANEY
(CLIFFORD PAUL)**

Order filed

For the purposes of oral argument, each side shall be allocated 30 minutes for a total oral argument time of one hour. Appellant Valencia shall make opening arguments, followed by the opening arguments of appellant Chaney. Thereafter, the People in *People v. Valencia* shall make their argument, followed by the argument of the People in *People v. Chaney*. Appellant Valencia and Chaney may each reserve time for rebuttal, which would be presented in the order indicated above.

S224724 F065288/F065481/F065984
Fifth Appellate District

**PEOPLE v. ENRIQUEZ,
(RAMIRO)**

Order filed

This court has granted review and consolidated the matters of *People v. Enriquez*, *People v. Gutierrez*, and *People v. Ramos* (see S224724). All three appellants filed separate briefs, and all joined in the others' arguments. Oral argument in this consolidated matter is set for March 7, 2017.

On March 2, the Office of the State Public Defender, which filed an amicus brief in this matter, informed the court that Ms. Janet Gray, counsel for Enriquez, has suffered an injury that will interfere with her ability to present oral argument next week. The court transmitted a letter inquiry to all counsel, asking counsel to inform the court as to who will present oral argument on behalf of appellants and to address any other matter relevant to the holding of oral argument in this matter. Attached to this letter was the February 15th focus letter sent to counsel, which identified three specific prospective jurors whom counsel should be prepared to discuss at argument. Those same three prospective jurors were the focus of briefing by Gutierrez.

On the morning of March 3, in response to the court's letter inquiry, Mr. Scott Concklin, who is counsel for Gutierrez, e-mailed a letter to the court in which he conveyed that he is willing to argue on behalf of all three appellants on March 7 and will begin preparation immediately.

Ms. Gray e-mailed the court the afternoon of March 3 to request a continuance of oral argument in this matter.

Upon consideration, the court designates *Gutierrez* the lead case in this consolidated matter, and the matters of *Gutierrez* and *Ramos* remain on the court's calendar for oral argument on March 7, 2017. The court defers all further action in the matter *People v. Enriquez* pending consideration and disposition of related issues in *Gutierrez* and *Ramos* or pending further order of the court. (Cal. Rules of Court, rule 8.512(d)(2).)