

**SUPREME COURT MINUTES
THURSDAY, MAY 5, 2016
SAN FRANCISCO, CALIFORNIA**

S209836 B235409 Second Appellate District, Div. 3 **FLORES (CATHERINE) v. PRESBYTERIAN INTERCOMMUNITY HOSPITAL**

Opinion filed: Judgment reversed

Majority Opinion by Kruger, J.

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

S222726 B256604 Second Appellate District, Div. 7 **JOHN (ALEYAMMA) v. S.C. (CHAN)**

Opinion filed: Judgment affirmed in full

Based on the foregoing analysis, we affirm the Court of Appeal judgment. Section 391.7's prefiling requirements do not apply to self-represented vexatious litigant's appeal of judgment or interlocutory order in an action in which he or she was the defendant.

Majority Opinion by Chin, J.

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

S234278 F073155 Fifth Appellate District **MELCHNER (DAVID) v. GONZALEZ-MELCHNER (JACKLYN)**

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 July 19, 2016. (Cal. Rules of Court, rule 8.512(c).)

S169689 **PEOPLE v. EVANS (STEVE CARL)**

Extension of time granted

Good cause appearing, and based upon counsel William J. Kopeny's representation that the appellant's opening brief is anticipated to be filed by August 15, 2016, counsel's request for an extension of time in which to file that brief is granted to July 5, 2016. After that date, only one further extension totaling about 40 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).)

S171393**PEOPLE v. McDANIEL
(DONTE LAMONT)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Elias Batchelder's representation that the appellant's reply brief is anticipated to be filed by March 10, 2017, counsel's request for an extension of time in which to file that brief is granted to July 8, 2016. After that date, only four further extensions totaling about 244 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).)

S222718**SMITH (DONALD
FRANKLIN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General William N. Frank's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 12, 2016, counsel's request for an extension of time in which to file that document is granted to July 5, 2016. After that date, only three further extensions totaling about 160 additional days are contemplated.

S230957

C074872 Third Appellate District

**PEOPLE v. MAITA (ERICK
NEIL)**

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 May 31, 2016. No further extensions are contemplated.

S231644

E062540 Fourth Appellate District, Div. 2

**PEOPLE v. MERRITT
(ANDRE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 8, 2016. No further extensions of time will be granted.

S232037**TAYLOR (LEIF) 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 June 2, 2016.

S232753 A144770 First Appellate District, Div. 2**PEOPLE v. CHILTON
(DEANNA LYNN)**

Counsel appointment order filed

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

S233246 H042043 Sixth Appellate District**PEOPLE v. CORTINAS
(MIGUEL)**

Counsel appointment order filed

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

S127119**PEOPLE v. GIVENS (TODD)**

Motion for access to sealed record denied

Respondent's "Application for Reporter's Transcript of Confidential Proceedings Under Penal Code Section 987.9," filed on March 30, 2016, is denied without prejudice because the record on appeal does not contain any such transcripts.

S231739**KNIGHT ON DISCIPLINE**

Order filed – RAAQIM A.S. KNIGHT

Respondent's request to correct factual inaccuracies in the hearing department's decision is hereby ordered stricken.

S234097**BLUMENTHAL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of EILEEN MERRI BLUMENTHAL, State Bar Number 130309, as a member of the State Bar of California is accepted.

EILEEN MERRI BLUMENTHAL 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.

S234098**BRUCE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KAY SMITH BRUCE, State Bar Number 69580, as a member of the State Bar of California is accepted.

KAY SMITH BRUCE 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.

S234099**BRUECKNER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LESLIE S. BRUECKNER, State Bar Number 117519, as a member of the State Bar of California is accepted.

LESLIE S. BRUECKNER 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.

S234102**CHASAN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JONATHAN S. CHASAN, State Bar Number 60786, as a member of the State Bar of California is accepted.

JONATHAN S. CHASAN 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.

S234103**MENDEL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ALLISON ELIZABETH MENDEL, State Bar Number 97048, as a member of the State Bar of California is accepted.

ALLISON ELIZABETH MENDEL 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.

S234106**MUNSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOUGLAS C. MUNSON, State Bar Number 39292, as a member of the State Bar of California is accepted.

DOUGLAS C. MUNSON 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.

S234110**SUMBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL PETER SUMBERG, State Bar Number 86564, as a member of the State Bar of California is accepted.

PAUL PETER SUMBERG 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.

S234112**TELLER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUSAN ELAINE TELLER, State Bar Number 92349, as a member of the State Bar of California is accepted.

SUSAN ELAINE TELLER 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.

S234114**TERRY-WALTON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DEBORAH L. TERRY-WALTON, State Bar Number 93124, as a member of the State Bar of California is accepted.

DEBORAH L. TERRY-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.

S234116**WALSH ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CAROLYN SHELLEY WALSH, State Bar Number 134434, as a member of the State Bar of California is accepted.

CAROLYN SHELLEY WALSH 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.

S234121**ANDERSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LORI JO ANDERSON, State Bar Number 184800, as a member of the State Bar of California is accepted.

LORI JO ANDERSON 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.

S234122**CROSS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROBERT WHARTON MILTON CROSS, State Bar Number 52305, as a member of the State Bar of California is accepted.

ROBERT WHARTON MILTON CROSS 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.

S234123**DIPAOLLO ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL ANTHONY DIPAOLLO, State Bar Number 129574, as a member of the State Bar of California is accepted.

PAUL ANTHONY DIPAOLLO 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.

S234124**FERNANDEZ ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DONNA KAY FERNANDEZ, State Bar Number 108299, as a member of the State Bar of California is accepted.

DONNA KAY FERNANDEZ 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.

S234125**MAXWELL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RITA JEAN MAXWELL, State Bar Number 82659, as a member of the State Bar of California is accepted.

RITA JEAN MAXWELL 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.

S234126**BARCLAY ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES CHARLES EDWARD BARCLAY, State Bar Number 60503, as a member of the State Bar of California is accepted.

JAMES CHARLES EDWARD BARCLAY 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.

S234127**CLEGG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD ALAN CLEGG, State Bar Number 211213, as a member of the State Bar of California is accepted.

RICHARD ALAN CLEGG 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.

S234128**FORDERER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOSEPH PETER FORDERER, State Bar Number 278774, as a member of the State Bar of California is accepted.

JOSEPH PETER FORDERER 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.

S234129**GROVES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES SAMUEL GROVES, State Bar Number 92678, as a member of the State Bar of California is accepted.

JAMES SAMUEL GROVES 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.

S234130**ISENBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOUGLAS MARTENS ISENBERG, State Bar Number 213685, as a member of the State Bar of California is accepted.

DOUGLAS MARTENS ISENBERG 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.

S234131**LAUREN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SANDRA LAUREN, State Bar Number 62789, as a member of the State Bar of California is accepted.

SANDRA LAUREN 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.

S234132**MacBETH ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of D. BRIAN MacBETH, State Bar Number 99048, as a member of the State Bar of California is accepted.

D. BRIAN MacBETH 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.

S234133**MARKLEY ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHNNY KENT MARKLEY, State Bar Number 66708, as a member of the State Bar of California is accepted.

JOHNNY KENT MARKLEY 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.

S234134**SNYDER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRUCE DAVID SNYDER, State Bar Number 92941, as a member of the State Bar of California is accepted.

BRUCE DAVID SNYDER 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.

S234135**WORTHINGTON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NANCY L. WORTHINGTON, State Bar Number 96736, as a member of the State Bar of California is accepted.

NANCY L. WORTHINGTON 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.

S234136**WALL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOANNE FOSTER WALL, State Bar Number 141150, as a member of the State Bar of California is accepted.

JOANNE FOSTER WALL 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.

S234137**PACHARES ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of OLYMPIA PACHARES, State Bar Number 87002, as a member of the State Bar of California is accepted.

OLYMPIA PACHARES 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.

S234139**ROWLAND ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of THOMAS WILLIAM ROWLAND, State Bar Number 67360, as a member of the State Bar of California is accepted.

THOMAS WILLIAM ROWLAND 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.

S234140**SCHWARTZ ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PATRICK DAVID SCHWARTZ, State Bar Number 115279, as a member of the State Bar of California is accepted.

PATRICK DAVID SCHWARTZ 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.

S234141**SMITH ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CLINT WILLIAM SMITH, State Bar Number 123213, as a member of the State Bar of California is accepted.

CLINT WILLIAM SMITH 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.

**SUPREME COURT MINUTES
THURSDAY, MAY 5, 2016
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 Thursday, May 5, 2016, at 9:00 a.m.

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

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

S213468 City of Perris, Plaintiff and Respondent,
v.
Richard C. Stamper et al., Defendants and Appellants.

[TO BE CALLED AND CONTINUED TO THE LATE MAY 2016 CALENDAR.]

S232642 Edmund G. Brown, Jr., as Governor, etc. et al., Petitioners,
v.
Superior Court of Sacramento County, Respondent,
California District Attorneys Association et al., Real Parties in Interest.

Caused called. James C. Harrison argued for Petitioners. Paul Stein, Office of the Attorney General, argued for Real Party in Interest Kamala D. Harris, as Attorney General, etc.. Thomas W. Hiltachk argued for Real Parties in Interest California District Attorneys Association et al..

Mr. Harrison replied.
Cause submitted.

S225090

Robert C. Baral, Plaintiff and Respondent,
v.
David Schnitt, Defendant and Appellant.

Cause called. James M. Wagstaffe argued for Appellant.
Gerald L. Sauer argued for Respondent.

Mr. Wagstaffe replied.
Cause submitted.

S224929

The People, Plaintiff and Respondent,
v.
Zeferino Espinoza, Jr., Defendant and Appellant.

Cause called. Bruce Ortega, Office of the Attorney General,
argued for Respondent.
Lawrence Gibbs, Court-appointed Counsel, argued for Appellant.

Mr. Ortega 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.

S139103

The People, Plaintiff and Respondent,
v.
Bailey Jackson, Defendant and Appellant.

Cause called. Richard I. Targow, Court-appointed Counsel,
argued for Appellant.
Tami Falkenstein Hennick, Office of the Attorney General,
argued for Respondent.

Mr. Targow replied.
Cause submitted.

Court adjourned.