

**SUPREME COURT MINUTES
WEDNESDAY, MAY 16, 2018
SAN FRANCISCO, CALIFORNIA**

S097558**PEOPLE v. GARTON (TODD
JESSE)**

The petition for rehearing is denied.

S104144**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Rehearing denied; opinion modified
ORDER MODIFYING OPINION AND
DENYING PETITION FOR REHEARING
THE COURT:

The opinion in this matter filed March 1, 2018, and appearing at 4 Cal.5th 421, is modified as follows:

1. At the end of the first full paragraph on page 443, after the sentence ending “they had views on the case,” the following sentence is added: “We likewise conclude that the trial court’s decision did not amount to constitutional error.”
2. At the end of the first paragraph on page 444, after the sentence ending in “discretion in these circumstances,” the following sentence is added: “Nor has Perez established that the time allotted for voir dire violated his constitutional rights.”

These modifications do not affect the judgment.

The petition for rehearing is denied.

S237014 A139411 First Appellate District, Div. 2**BUTLER (ROY THINNES) ON
H.C.**

Rehearing denied

S247677 B272344 Second Appellate District, Div. 7**GONZALEZ (LUIS) v.
MATHIS (JOHN R.)**

Petition for review granted

The application to appear as counsel pro hac vice is granted.

The request for an order directing depublication of the opinion is denied.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S231765

B262023 Second Appellate District, Div. 8

**PEOPLE v. BUYCKS
(STEVENSON)**

Supplemental briefing ordered

The submission of this case is vacated. The court requests that the parties in the matter of *People v. Buycks* (S231765) serve and file supplemental letter briefs addressing the following questions: Should Penal Code section 1170.18, subdivision (k) require striking defendant Buycks' two-year enhancement under Penal Code section 12022.1, despite the fact that his judgment was final (*In re Estrada* (1965) 63 Cal.2d 740), because the trial court sentenced defendant anew after he had successfully petitioned for the reduction of his Penal Code section 666, subdivision (a) conviction to a misdemeanor? Does Penal Code section 1170.18, subdivision (n) or *Dix v. Superior Court* (1991) 53 Cal.3d 442 support the Court of Appeal's conclusion that in resentencing defendant Buycks, the trial court was required to reevaluate the applicability of the enhancement at that time?

All initial briefs by the parties addressing the above questions must be served and filed simultaneously on or before June 1, 2018. Any reply by the parties to the supplemental briefs must be served and filed on or before June 15, 2018.

No extension of time will be granted. The case will be deemed submitted upon timely filing of the last brief.

S232900

D066907 Fourth Appellate District, Div. 1

**PEOPLE v. VALENZUELA
(LAURA REYNOSO)**

Supplemental briefing ordered

The submission of this case is vacated. The court requests that the parties in the matter of *People v. Buycks* (S231765) serve and file supplemental letter briefs addressing the following questions: Should Penal Code section 1170.18, subdivision (k) require striking defendant Buycks' two-year enhancement under Penal Code section 12022.1, despite the fact that his judgment was final (*In re Estrada* (1965) 63 Cal.2d 740), because the trial court sentenced defendant anew after he had successfully petitioned for the reduction of his Penal Code section 666, subdivision (a) conviction to a misdemeanor? Does Penal Code section 1170.18, subdivision (n) or *Dix v. Superior Court* (1991) 53 Cal.3d 442 support the Court of Appeal's conclusion that in resentencing defendant Buycks, the trial court was required to reevaluate the applicability of the enhancement at that time?

All initial briefs by the parties addressing the above questions must be served and filed simultaneously on or before June 1, 2018. Any reply by the parties to the supplemental briefs must be served and filed on or before June 15, 2018.

No extension of time will be granted. The case will be deemed submitted upon timely filing of the last brief.

S238888

H043114 Sixth Appellate District

**GUIOMAR (JOHN MANUEL)
ON H.C.**

Supplemental briefing ordered

The submission of this case is vacated. The court requests that the parties in the matter of *People*

v. Buycks (S231765) serve and file supplemental letter briefs addressing the following questions: Should Penal Code section 1170.18, subdivision (k) require striking defendant Buycks' two-year enhancement under Penal Code section 12022.1, despite the fact that his judgment was final (*In re Estrada* (1965) 63 Cal.2d 740), because the trial court sentenced defendant anew after he had successfully petitioned for the reduction of his Penal Code section 666, subdivision (a) conviction to a misdemeanor? Does Penal Code section 1170.18, subdivision (n) or *Dix v. Superior Court* (1991) 53 Cal.3d 442 support the Court of Appeal's conclusion that in resentencing defendant Buycks, the trial court was required to reevaluate the applicability of the enhancement at that time?

All initial briefs by the parties addressing the above questions must be served and filed simultaneously on or before June 1, 2018. Any reply by the parties to the supplemental briefs must be served and filed on or before June 15, 2018.

No extension of time will be granted. The case will be deemed submitted upon timely filing of the last brief.

S237801 A146277 First Appellate District, Div. 3

IN RE C.B.

S237762 A146120 First Appellate District, Div. 3

IN RE C.H.

Case consolidated with:

In re C.B., a Person Coming Under the Juvenile Court Law.

THE PEOPLE, Plaintiff and Respondent,

v.

C.B., Defendant and Appellant.

In re C.H., a Person Coming Under the Juvenile Court Law.

THE PEOPLE, Plaintiff and Respondent,

v.

C.H., Defendant and Appellant.

Good cause appearing, the above-entitled cases are consolidated for purposes of oral argument and opinion. Oral argument shall be 60 minutes (30 minutes for petitioners and 30 minutes for the People). Counsel for petitioners shall argue first and may reserve time for rebuttal. They are directed to decide among themselves an allocation of their allotted time that complies with section

V of the Internal Operating Practices and Procedures of this court.

S247488 C082750 Third Appellate District

**PEOPLE v. WALLACE
(SIDNEY EDWARD)**

Petition for review granted; briefing deferred

The request to supplement the petition for review is granted. The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Bullard*, S239488 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S247573 B279524 Second Appellate District, Div. 2

**DUCHAN (JASON
CHRISTOPHER) v. LOS
ANGELES UNIFIED SCHOOL
DISTRICT**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of *Wilson v. Cable News Network, Inc.*, S239686 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S247616 B277418 Second Appellate District, Div. 1

**PEOPLE v. McDUFFY
(WAJUBA ZYMAAL)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Padilla*, S239454, and *People v. Mendoza*, S238032 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S247832 B269545 Second Appellate District, Div. 7

**PEOPLE v. ESQUIVEL
(DANIEL GARY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition in a related issue in *People v. Canizales*, S221958 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S248208 B282516 Second Appellate District, Div. 5 **PEOPLE v. ANDERSON
(KENNETH DEMONT)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Ruiz*, S235556 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

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

Order to show cause issued, returnable in Superior Court

This petition for writ of habeas corpus was filed in this court on January 30, 2009, before the effective date of Proposition 66, the “Death Penalty Reform and Savings Act of 2016.” (See *Briggs v. Brown et al.* (2017) 3 Cal.5th 808, 862, reh’g. den. Oct. 25, 2017.) Under section 1509, subdivision (g) of the Penal Code, the court exercises its authority to retain this petition and decide it.

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause in the Superior Court of California, County of Los Angeles, when the matter is placed on calendar, why the relief prayed for should not be granted on the ground that trial counsel rendered ineffective assistance of counsel during the penalty phase by failing to investigate petitioner’s social history and to present the testimony of mental health experts and a social historian, as alleged in Claim Four.

All remaining claims are denied on the merits.

In addition, procedural bars apply to some claims, or subparts of claims, as follows:

Claims Two, Six, and Eight (except to the extent it alleges ineffective assistance of counsel) are procedurally barred under *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent they were raised and rejected on appeal.

Claim Eight (except to the extent it alleges ineffective assistance of counsel) is procedurally barred under *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent it is based on the record and could have been, but was not, raised on appeal.

Claim Nine (except to the extent it alleges ineffective assistance of counsel) is procedurally barred under *In re Seaton* (2004) 34 Cal.4th 193, 199-200, because it could have been, but was not, raised at trial.

This court retains jurisdiction over all matters concerning the appointment of counsel for petitioner.

Votes: Cantil-Sakauye, C. J., Liu, Cuéllar, and Kruger, JJ.

S247055 E066434 Fourth Appellate District, Div. 2 **PEOPLE v. WEITZEIL
(JEREMY SCOTT)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Two

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision dismissing the appeal and to reconsider the cause in light of *Harris v. Superior Court* (2016) 1 Cal.5th 984, 991. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S247543 B288362 Second Appellate District, Div. 4 **POGOSYAN (ALEXANDER)
v. APPELLATE DIVISION
(PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Four, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Four. That court is ordered to vacate its March 2, 2009, order summarily denying the petition for writ of prohibition and is directed to issue an order to show cause returnable before that court. The Los Angeles Superior Court is to be ordered to show cause, when the matter is placed on calendar, why petitioner's motion to dismiss should not be granted. The return is to be filed on or before June 18, 2018.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S232329 E063472 Fourth Appellate District, Div. 2 **DRIVER II (TOMMY
JUNIOR) ON H.C.**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

The above-captioned matter is dismissed, without prejudice to any relief to which defendant might be entitled after this court decides *People v. Buycks*, S231765.

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S232331 E059681 Fourth Appellate District, Div. 2 **PEOPLE v. DRIVER II
(TOMMY JUNIOR)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S237491 B266704 Second Appellate District, Div. 2 **PEOPLE v. NEWMAN
(DAVID)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S239197 B269019 Second Appellate District, Div. 2 **PEOPLE v. WESTERFIELD
(CLEO)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S239432 B266674 Second Appellate District, Div. 3 **PEOPLE v. RODRIGUEZ
(HERACLIO SANCHEZ)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Three
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225 and *People v. Estrada* (2017) 3 Cal.5th 661, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S239935 C077898 Third Appellate District **PEOPLE v. GANN (JOHN
DAVID)**

Transferred to Court of Appeal, Third Appellate District, after hold
The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of the decisions in *People v. Frierson* (2017) 4 Cal.5th 225, and *People v. Estrada* (2017) 3 Cal.5th 661. (Cal. Rules of Court, rule 8.528(d).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S240312 B268411 Second Appellate District, Div. 3 **PEOPLE v. HAMMONDS
(RICKY DARWELL)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Three
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225 and *People v. Estrada* (2017) 3 Cal.5th 661, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S241017 B267915 Second Appellate District, Div. 4 **PEOPLE v. STEFFLRE**
(ALAIN)

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Four
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225 and *People v. Estrada* (2017) 3 Cal.5th 661, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S241107 B264757 Second Appellate District, Div. 3 **PEOPLE v. BERRY**
(KENNETH)

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Three
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225 and *People v. Estrada* (2017) 3 Cal.5th 661, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S241204 B268143 Second Appellate District, Div. 6 **PEOPLE v. HARO (TOMMY)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Six
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225 and *People v. Estrada* (2017) 3 Cal.5th 661, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S242240 C077882 Third Appellate District **PEOPLE v. VALDEZ**
(EMIGDIO)

Dismissed and remanded to Court of Appeal, Third Appellate District
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S242249 B270193 Second Appellate District, Div. 5 **PEOPLE v. BRYANT**
(AUBREY JOHN)

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Five
Review in the above-captioned matter, which was granted and held for *People v. Frierson* (2017) 4 Cal.5th 225, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S247238	B272098 Second Appellate District, Div. 3	PEOPLE v. MOORE (VENUS DETRICE)
Petition for review denied		
S247274	B283220 Second Appellate District, Div. 3	MOORE (VENUS) ON H.C.
Petition for review denied		
S247324	F072871 Fifth Appellate District	PEOPLE v. SORENSEN (ROBERT LEWIS)
Petition for review denied		
S247481	B282107 Second Appellate District, Div. 8	PEOPLE v. LANDAVERDE (ARNULFO R.)
Petition for review denied; CA opinion decertified		
The petition for review is denied. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed on February 7, 2018, which appears at 20 Cal.App.5th 287. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)		
S247487	B276128 Second Appellate District, Div. 4	PEOPLE v. TUCKER (JESSE ALAN)
Petition for review denied		
S247511	B276082 Second Appellate District, Div. 2	PEOPLE v. SIMMONS (SAMUEL ALONZO)
Petition for review denied		
S247588	C079775 Third Appellate District	PEOPLE v. LEWIS (DARRELLE)
Petition for review denied		
S247617	B279664 Second Appellate District, Div. 1	PEOPLE v. JORDAN (ANDREW)
Petition for review denied		

S247634 C080430/C081817 Third Appellate District

Petition for review denied

**MONTCLAIR, CITY OF v.
COHEN (MICHAEL)**

S247650 B279935 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. VALLE
(JONATHAN FRANCISCO)**

S247652

Petition for review denied

**PULLE (STANISLAUS) v.
STATE BAR OF
CALIFORNIA**

S247662 H045364 Sixth Appellate District

Petition for review & application for stay denied

**MHANNA (FIDA) & HAGE
(GHASSAN), MARRIAGE OF**

S247673 F071302 Fifth Appellate District

Petition for review denied

**PEOPLE v. VASQUEZ
(TONY)**

S247683 F072456 Fifth Appellate District

Petition for review denied

**PEOPLE v. TOWNSEND
(TABARRI MAURICE)**

S247685 A145167 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. ROHRBACH
(KENNETH)**

S247689 G052920 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. WOLFE (KELLY
MICHELE)**

S247695 B277401 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HERRERA-
RAMOS (JOSE)**

S247698 E069730 Fourth Appellate District, Div. 2

Petition for review denied

**COTTON (ROBERT) v. S.C.
(COUNTY OF SAN
BERNARDINO)**

S247700 E064706 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CANNON (KEVIN
CURTIS)**

S247708 B270095 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SOTO (VICTOR
E.)**

S247711 E066937 Fourth Appellate District, Div. 2
Petition for review denied

CANNON (KEVIN) ON H.C.

S247739 B280925 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. PADILLA
(RAYMOND EDWARD)**

S247743 C074438 Third Appellate District

Petition for review denied

**PEOPLE v. PENN (JOHN
JAMES)**

S247747 A143354 First Appellate District, Div. 2
Petition for review denied

PEOPLE v. ORONA (TOMAS)

S247766 C086356 Third Appellate District

Petition for review denied

**JOHNSTON (BRANDON) ON
H.C.**

S247768 B279767 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HUTCHINSON
(LOUIS JAMES)**

S247791 B264578 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. KINGSBURY
(ANDREW PHILLIP)**

S247834 E068343 Fourth Appellate District, Div. 2

Petition for review denied

IN RE S.L.

S247843 G053424 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. TRAN (ANDREW)

S247978 F073567 Fifth Appellate District

Petition for review denied

**KEY ENERGY SERVICES,
INC. v. CALIFORNIA
OCCUPATIONAL SAFETY &
HEALTH APPEALS BOARD
(DEPARTMENT OF
INDUSTRIAL RELATIONS,
DIVISION OF
OCCUPATIONAL SAFETY &
HEALTH)**

S247979 B286271 Second Appellate District, Div. 1

Petition for review denied

IN RE H.P.

S248001 D071268 Fourth Appellate District, Div. 1

Petition for review denied

**LOUCKS (ELENA A.) v.
BARRETT DAFFIN
FRAPPIER TREDER &
WEISS LLP**

S248002 E069778 Fourth Appellate District, Div. 2

Petition for review denied

**ETCHISON (MICHAEL
JASON) ON H.C.**

S248013 B270665 Second Appellate District, Div. 2

Petition for review denied

**THOMAS (JAMIE) v. ZHOU
(YIN HUI)**

S248037 G053806 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. NGUYEN (LOI PHAT)

S248047 C086753 Third Appellate District

Petition for review denied

Petitioner's request for judicial notice is granted.

GARCIA-ROJAS (URIEL) ON H.C.

S248073 A150979 First Appellate District, Div. 1

Petition for review denied

1115 SOLAR DEVELOPMENT, LLC v. CLEAN ENERGY COLLECTIVE, LLC

S248074 B282783 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. ACOSTA (OYUKI)

S248079 B271587 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. CHESTER (KENDRICK D.)

S248080 A146654 First Appellate District, Div. 3

Petition for review denied

PEOPLE v. HURD (STEVEN MORRIS)

S248082 G053808 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. CASTRO-VASQUEZ (JUAN EDUARDO)

S248083 F072639 Fifth Appellate District

Petition for review denied

PEOPLE v. ALVARADO (VICTOR)

S248084 C084504 Third Appellate District

Petition for review denied

**PEOPLE v. RODRIGUEZ
(RICARDO ANTONIO)**

S248092 E064608 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. REAL
(FRANCISCO HUMBERTO)**

S248093 C083733 Third Appellate District

Petition for review denied

IN RE J.D.

S248096 D072346 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VILLARINI-
NICHOLSON (NICOLE ANN)**

S248101 B278744 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WILLARD
(JAMIE)**

S248104 F071564 Fifth Appellate District

Petition for review denied

**PEOPLE v. CHENOT
(KIMBERLY ROSANNE)**

S248108 B281923 Second Appellate District, Div. 4

Petition for review denied

IN RE KIM W.

S248121 A145821 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GATES
(FREDERICK RENEE)**

S248122 B270418 Second Appellate District, Div. 4

Petition for review denied

**FICHTER (VIN A.) v. BYRD
(TYRONE G.)**

S248124 F073234 Fifth Appellate District

Petition for review denied

PEOPLE v. OQUITA (JAVIER ROMERO)

S248127 B281010 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. BUDGELL (STEPHEN MICHAEL)

S248133 A147554 First Appellate District, Div. 1

Petition for review denied

HERTERICH (NORMAN BARTSCH) v. PELTNER (ARNDT)

S248145 B285871 Second Appellate District, Div. 2

Petition for review denied

IN RE J.T.

S248149 D073648 Fourth Appellate District, Div. 1

Petition for review denied

LUCORE (STEVEN H.) v. S.C. (U.S. BANK, N.A.)

S248150 C075866 Third Appellate District

Petition for review denied

Cantil-Sakauye, C. J., was recused and did not participate.

NORTHERN CALIFORNIA WATER ASSOCIATION v. STATE WATER RESOURCES CONTROL BOARD

S248152 E063054 Fourth Appellate District, Div. 2

Petition for review denied

SIGGARD (WAYNE) v. HUDACK (LARRY J.)

S248153 A143365 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. MITCHELL (JUSTIN RALPH)

S248156 C081877 Third Appellate District

Petition for review denied

PEOPLE v. SANFORD (ADAM JAMES)

S248157 D071815 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. WILKERSON (JAMES)

S248172 B283929 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. HARRIS (JONATHAN MICHAEL)

S248202 B289028 Second Appellate District, Div. 5

Petition for review denied

MEHTA (RAM) v. S.C. (PEOPLE)

S248204

Petition for writ of error *coram nobis* denied

PEOPLE v. J'WEIAL (XAIVER LUMAR)

S248210 D071410 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. MULIPOLA (KURENE)

S248211 C083427 Third Appellate District

Petition for review & depublication request(s) denied

SELVIDGE (MARYJANE) v. TANG (SULLYVAN W.)

S248220

Petition for writ of mandate/prohibition denied

YOUNG (HOWARD) v. COURT OF APPEAL, SIXTH APPELLATE DISTRICT (PEOPLE)

S248260 B285571 Second Appellate District, Div. 3

Petition for review denied

IN RE A.S.

S248413 A153544 First Appellate District, Div. 2

Petition for review & application for stay denied

**HOBBY LOBBY STORES,
INC. v. S.C. (ROSE)**

S248542 F077269 Fifth Appellate District

Petition for review & application for stay denied

**HURTADO (RAFAEL
MALDONADO) v. S.C.
(PEOPLE)**

S242255

Petition for writ of habeas corpus denied

**JOHNSON (DERRICK
ARNOLD) ON H.C.**

S242666

Petition for writ of habeas corpus denied

MROZEK (BRAD) ON H.C.

S244556

Petition for writ of habeas corpus denied

**WINZER (KENNETH) ON
H.C.**

S244836

Petition for writ of habeas corpus denied

**TOLLIVER, SR., (DARRYL
L.) ON H.C.**

S245372

Petition for writ of habeas corpus denied

GODINEZ (JOSE) ON H.C.

S246024

**METTERS (JAMES R.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S246257**MARTINEZ (JOHNNY
ANGEL) ON H.C.**

Petition for writ of habeas corpus denied

S246547**STEWART (JAREY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S246839**ZHUANG (LING) ON H.C.**

Petition for writ of habeas corpus denied

S246999**RICHARDS (DANIEL) ON
H.C.**

Petition for writ of habeas corpus denied

S247011**JACOBS (LIONEL TEMERO)
ON H.C.**

Petition for writ of habeas corpus denied

S247013**KENNEDY (DAMEYION T.)
ON H.C.**

Petition for writ of habeas corpus denied

S247186**VERA (GUILLERMO MEMO)
ON H.C.**

Petition for writ of habeas corpus denied

S247267**MORGAN (EDWARD) ON
H.C.**

Petition for writ of habeas corpus denied

S247533**AVALOS (LUIS) ON H.C.**

Petition for writ of habeas corpus denied

S247553**STEWART (NORFLEET) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S247571**OCHOA (LEONARD LOUIE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S247572**JORDAN (MAURICE) ON
H.C.**

Petition for writ of habeas corpus denied

S247576**HERNANDEZ (RAUL) ON
H.C.**

Petition for writ of habeas corpus denied

S247577**SLEVIRA (DAVID A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Individual claims are denied, as applicable: (See *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations].)

S247578**JOHNSON (DERRICK L.) ON
H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable: (See *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S247579**GILMORE (CARY DWAYNE)
ON H.C.**

Petition for writ of habeas corpus denied

S247580**RAMIREZ (RAFAEL) ON
H.C.**

Petition for writ of habeas corpus denied

S247582**GOODWIN (PATRICK
GLENN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

S247915

D072293 Fourth Appellate District, Div. 1

IN RE J.G.

Depublication ordered (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is granted.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed February 2, 2018, which appears at 20 Cal.App.5th 173. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125.)

The court declines to review this matter on its own motion. The matter is now final.

S247484

C076983 Third Appellate District

**BLOCKA CONSTRUCTION,
INC. v. MYERS POWER
PRODUCTS, INC.**

Publication request denied (case closed)

S247645 B270944/B272092 Second Appellate District, Div. 3 **SILVER HORSE EQUITIES,
LLC v. ALI AHMAD
(VICTORIA)**

Publication request denied (case closed)

S247654

E066387 Fourth Appellate District, Div. 2

**MEDINA (MARTHA) v.
COSTCO WHOLESALE
CORPORATION**

Publication request denied (case closed)

S247734 B282061 Second Appellate District, Div. 4
Publication request denied (case closed)

IN RE JULIANA P.

S247736 A138764 First Appellate District, Div. 3

**NESSINGER (EDWARD J. &
ANGELINA L.), MARRIAGE
OF**

Publication request denied (case closed)

S247760 A150296 First Appellate District, Div. 2

**MARSHALL (INEZ), ESTATE
OF**

Publication request denied (case closed)

S247967 D072287 Fourth Appellate District, Div. 1

**APPLE INC. v. S.C.
(SHAMRELL)**

Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied. The court declines to review this matter on its own motion. The matter is now final. Chin, J., was recused and did not participate.

S222732 B249546 Second Appellate District, Div. 7

**DYNAMEX OPERATIONS
WEST, INC. v. S.C. (LEE)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to July 27, 2018, or the date upon which rehearing is either granted or denied, whichever occurs first.

S246990 D071882 Fourth Appellate District, Div. 1

PEOPLE v. LYNCH (PAUL)

Counsel appointment order filed

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

S208348

**PEOPLE v. MARENTES (DESI
ANGEL)**

Motion denied

Appellant's "Motion to Augment the Certified Record on Appeal," filed on February 28, 2018, is denied. On the court's own motion, the superior court is ordered to transmit People's Exhibits 151 through 162 and Court's Exhibit 8 to this court. (Cal. Rules of Court, rules 8.610(a)(3), 8.634(a), & 8.224(d).)

S230767**PEOPLE v. STANLEY
(GERALD FRANK)**

Order filed

In light of the “Declaration of Jack Leavitt re: Removal as Attorney,” filed on March 29, 2018, in which previously retained counsel states he no longer represents appellant, the briefing schedule in this appeal is vacated and the appellate proceedings are held in abeyance pending further order of the court regarding the representation of appellant.

S248513

A146855 First Appellate District, Div. 1

**McGLYNN (MATTHEW C.) v.
STATE OF CALIFORNIA**

Order filed

Due to clerical error, the order filed in the above matter on May 15, 2018, is amended to read as follows:

On application of respondents, State of California and Board of Administration of CalPERS, and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to May 25, 2018.

S248813**MAGANA (EUDORO) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, First Appellate District

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

S247951

Petition denied

(accusation)

ACCUSATION OF JONES**S248087**

Petition denied

(accusation)

ACCUSATON OF EVANS**S248089**

Petition denied

(accusation)

ACCUSATION OF EVANS**S230568**

B259424 Second Appellate District, Div. 7

**REGENTS OF THE
UNIVERSITY OF
CALIFORNIA v. S.C. (ROSEN)**

Fee request denied

Upon due consideration, the motion to determine entitlement to attorney fees (Code Civ. Proc., § 1021.5), filed April 12, 2018, by real party in interest Katherine Rosen, is denied.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
JUNE 5 and 6, 2018**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on June 5 and 6, 2018.

TUESDAY, JUNE 5, 2018 — 2:00 P.M.

IN MEMORIAM – HON. ARMAND ARABIAN
Associate Justice, California Supreme Court (1990-1996)

- (1) In re C.B., S237801 and In re C.H., S237762, (*consolidated cases*)
(*justice pro tempore to be assigned*)
- (2) De La Torre (Eduardo) et al. v. CashCall, Inc., S241434
(*justice pro tempore to be assigned*)

WEDNESDAY, JUNE 6, 2018 — 9:00 A.M.

- (3) Sheppard, Mullin, Richter & Hampton, LLP v. J-M Manufacturing Co., Inc., S232946
(*justice pro tempore to be assigned*)
- (4) Bianka M., a Minor, etc. v. Superior Court of Los Angeles County (Gladys M.), S233757
(*justice pro tempore to be assigned*)
- (5) Ramirez (Irma), Individually and as Personal Representative, etc., v. City of Gardena, S244549
(*justice pro tempore to be assigned*)

CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)