

**SUPREME COURT MINUTES  
TUESDAY, MAY 17, 2016  
SAN FRANCISCO, CALIFORNIA**

**S219534** A136378/A136416

First Appellate District, Div. 3

**KESNER, JR., (JOHNNY  
BLAINE) v. S.C. (PNEUMO  
ABEX LLC)**

**S219919** B246527 Second Appellate District, Div. 5

**HAYER (JOSHUA) v. BNSF  
RAILWAY COMPANY**

Good cause appearing, the above-entitled cases are hereby consolidated for purposes of oral argument and opinion. Oral argument shall be 80 minutes and each party shall have 20 minutes. Petitioner Pneumo Abex shall make opening arguments, followed by the argument of Kesner. Pneumo Abex may reserve time for rebuttal to immediately follow Kesner's argument. The Hayers shall then make their opening argument, followed by BNSF Railway. The Hayers may also reserve time for rebuttal, which would be presented following BNSF Railway's arguments.

**S231544**

**BROWN ON DISCIPLINE**

Time extended to consider modification or rehearing – PETER T. BROWN

The time for granting or denying rehearing in the above-entitled case is hereby extended to July 27, 2016, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S104665**

**PEOPLE v. POORE  
(CHRISTOPHER ERIC)**

Extension of time granted

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

Good cause appearing, and based upon counsel R. Clayton Seaman's representation that the appellant's opening brief is anticipated to be filed by December 1, 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 three further extensions totaling about 148 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).)

**S112146****PEOPLE v. STAYNER (CARY ANTHONY)**

Application to file over-length brief granted

Good cause appearing, appellant's "Application for Leave to File Oversized Brief," filed May 3, 2016, is granted. The appellant's opening brief must not exceed 140,000 words.

**S178113****BRAMIT (MICHAEL LAMAR) ON H.C.**

Extension of time granted

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

Good cause appearing, and based upon counsel Mary T. McKelvey's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 27, 2016, counsel's request for an extension of time in which to file that document is granted to June 17, 2016. After that date, only three further extensions totaling about 131 additional days are contemplated.

**S181555****PEOPLE v. MARTIN (VALERIE DEE)**

Extension of time granted

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

Good cause appearing, and based upon counsel Ralph H. Goldsen's representation that the appellant's opening brief is anticipated to be filed by October 1, 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 two further extensions totaling about 89 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).)

**S186271****PEOPLE v. JOHNSON (MILA)**

Extension of time granted

The application of appellant 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 June 28, 2016.

**S230051** A144315 First Appellate District, Div. 5**FACEBOOK INC. v. S.C.  
(HUNTER)**

Extension of time granted

On application of real party in interest, Lee Sullivan, and good cause appearing, it is ordered that the time to serve and file the response to amicus curiae brief of Google, Inc., is extended to May 26, 2016.

**S230906** A140050 First Appellate District, Div. 3**PEOPLE v. DELEON (ALLEN  
DIMEN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to June 17, 2016.

**S231098****GIBBS (WESLEY E.) 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 9, 2016.

**S231112****MACHUCA (ROBBIN  
MONIQUE) 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 9, 2016.

**S232197** E063527 Fourth Appellate District, Div. 2**KING (KIRK) v.  
COMPPARTNERS, INC.**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 15, 2016.

**S232218** B259665 Second Appellate District, Div. 5**PEOPLE v. HICKS (MARVIN  
TRAVON)**

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 June 17, 2016.

**S232492****OLIC (MILORAD) 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 16, 2016.

**S232630****ANDERSON (CLYDE W.) 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 16, 2016.

**S232639**

E062380 Fourth Appellate District, Div. 2

**PEOPLE v. S.C. (SAHLOLBEI)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 13, 2016.

**S232754**

B247672 Second Appellate District, Div. 7

**KIM (WILLIAM JAE) v.  
TOYOTA MOTOR  
CORPORATION**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 3, 2016.

**S231260**

B257357 Second Appellate District, Div. 6

**PEOPLE v. GALLARDO  
(SULMA MARILYN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Christian Buckley 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.

**S231704**

B262302 Second Appellate District, Div. 6

**PEOPLE v. SIRMAN (JACK  
E.)**

Counsel appointment order filed

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

**S232534**      E062935 Fourth Appellate District, Div. 2      **PEOPLE v. BARBA, JR.,  
(HECTOR DEAN)**

Counsel appointment order filed

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

**S232617**      D067731 Fourth Appellate District, Div. 1      **PEOPLE v. PINEDA (JUAN  
IVAN)**

Counsel appointment order filed

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

**S232839**      D068273 Fourth Appellate District, Div. 1      **LARSON (SCHA BUCK) ON  
H.C.**

Counsel appointment order filed

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

**S230916**      **CHAMPION (STEVE ALLEN)  
ON H.C.**

Order filed

Respondent's "Application and Declaration of Good Cause to File Late Informal Response to Second Amended Petition for Writ of Habeas Corpus" filed on May 6, 2016, is granted.

**S233588**      B259998 Second Appellate District, Div. 3      **PEOPLE v. AREVALO  
(EDGAR OMAR)**

Order filed

The order extending time for granting review on the court's own motion filed on May 4, 2016, is hereby ordered vacated.



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
LOS ANGELES SESSION  
JUNE 1 and 2, 2016**

**FIRST AMENDED**

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 1 and 2, 2016.

**WEDNESDAY, JUNE 1, 2016 — 2:00 P.M.**

- (1) People v. Armstrong (Craig Lewis) [Automatic Appeal], S130659
- (2) People v. Rinehart (Brandon Lance), S222620
- (3) People v. Covarrubias (Daniel Sanchez) [Automatic Appeal], S075136

**THURSDAY, JUNE 2, 2016 — 9:00 A.M.**

- (4) Bristol-Myers Squibb Company v. Superior Court of the City and County of San Francisco (Bracy Anderson et al., Real Parties in Interest), S221038
- (5) State Department of Finance et al. v. Commission on State Mandates (County of Los Angeles et al., Real Parties in Interest), S214855
- (6) Horiike (Hiroshi) v. Coldwell Banker Residential Brokerage Company et al., S218734  
(*To be called and continued to the September 2016 calendar.*)

**1:30 P.M.**

- (7) Kesner, Jr. (Johnny Blaine) v. Superior Court of Alameda County (Pneumo Abex LLC, Real Party in Interest), S219534 and Haver (Joshua) et al. v. BNSF Railway Company, S219919 (*consolidated cases*)  
(*To be called and continued to the September 2016 calendar.*)

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**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).)