

**SUPREME COURT MINUTES
WEDNESDAY, MAY 23, 2018
SAN FRANCISCO, CALIFORNIA**

S247278 A152056 First Appellate District, Div. 2 **HUMPHREY (KENNETH) ON H.C.**

Review granted on the court's own motion

Review is ordered on the court's own motion. The issues to be briefed and argued are limited to the following:

- (1) Did the Court of Appeal err in holding that principles of constitutional due process and equal protection require consideration of a criminal defendant's ability to pay in setting or reviewing the amount of monetary bail?
- (2) In setting the amount of monetary bail, may a trial court consider public and victim safety? Must it do so?
- (3) Under what circumstances does the California Constitution permit bail to be denied in noncapital cases? Included is the question of what constitutional provision governs the denial of bail in noncapital cases—article I, section 12, subdivisions (b) and (c), or article I, section 28, subdivision (f)(3), of the California Constitution—or, in the alternative, whether these provisions may be reconciled.

For the purposes of briefing and oral argument, the District Attorney of the City and County of San Francisco is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

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

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

S248125 D073054 Fourth Appellate District, Div. 1 **WHITE (CHRISTOPHER LEE) ON H.C.**

Petition for review granted; issues limited

The request by petitioner for judicial notice is granted. The petition for review is granted. The issues to be briefed and argued are limited to the following:

- (1) Under what circumstances does the California Constitution permit bail to be denied in noncapital cases? Included is the question of what constitutional provision governs the denial of bail in noncapital cases—article I, section 12, subdivisions (b) and (c), or article I, section 28, subdivision (f)(3), of the California Constitution—or, in the alternative, whether these provisions may be reconciled.
- (2) What standard of review applies to review of the denial of bail?
- (3) Did the Court of Appeal err in affirming the trial court's denial of bail?

The request for immediate admission to bail is denied. The non-party's request for depublication is denied.

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

S245203 D072171 Fourth Appellate District, Div. 1 **FACEBOOK, INC. v. S.C.
(TOUCHSTONE)**

Motion for leave to intervene granted

The application of the San Diego County District Attorney to intervene under Code of Civil Procedure section 387, subdivision (d)(2) is granted. Briefing by intervenor is deferred pending finality of this court's decision in *Facebook v. Superior Court (Hunter)* (S230051), at which time this court will issue a schedule concerning (a) briefing by intervenor and responsive briefs by parties and amici curiae; and (b) any supplemental briefing that the parties and/or amici curiae may wish to file in light of this court's decision in *Facebook v. Superior Court (Hunter)*.

S247618 F074392 Fifth Appellate District **PEOPLE v. GARCIA (EDDIE
RAMIREZ)**

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.

S247716 C083153 Third Appellate District **PEOPLE v. HENDERSON, JR.,
(MARLOWE WILLIAM)**

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. Calavano*, S242474 (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.

S247837 B267614 Second Appellate District, Div. 3 **PEOPLE v. CROCKETT
(WILLIE)**

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. Mateo*, S232674 (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.

S248255 G053959 Fourth Appellate District, Div. 3 **PEOPLE v. MARES, JR.,
(LAWRENCE A.)**

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

The request for leave to supplement the petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of S.B. 620 (Stats. 2017, ch. 682). (Cal. Rules of Court, rule 8.528(d).

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

S247057 **KHALIQ (IMRAN A.), IN RE**
Petition for review denied
The request for judicial notice is granted.

S247445 A149056 First Appellate District, Div. 5 **PEOPLE v. THOMPSON III
(CLARENCE)**
Petition for review denied

S247489 F073236 Fifth Appellate District **PEOPLE v. ENRIQUEZ
(EMILIANO ISIDRO)**
Petition for review denied

S247564 B266469 Second Appellate District, Div. 7 **SIVERO (FRANK) v.
TWENTIETH CENTURY FOX
FILM CORPORATION**
Petition for review & publication request(s) denied

S247593 E065030 Fourth Appellate District, Div. 2 **PEOPLE v. BLACKBURN
(MICHAEL ROBERT)**
Petition for review denied

S247640 H042854 Sixth Appellate District **APTOS RESIDENTS
ASSOCIATION v. COUNTY
OF SANTA CRUZ (CROWN
CASTLE, INC.)**
Petition for review denied

S247648 B275684 Second Appellate District, Div. 2

Petitions for review denied

**PEOPLE v. MURILLO
(MAXIMILIANO)**

S247680 C085007 Third Appellate District

Petition for review denied

**PEOPLE v. TANKERSLEY
(GARRY WAYNE)**

S247707 C074101 Third Appellate District

Petition for review denied

**PEOPLE v. THOMAS
(THOMAS JENKINS)**

S247740 F071843 Fifth Appellate District

Petition for review denied

**PEOPLE v. MENDEZ, JR.,
(JOSEPH)**

S247746 E067191 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ABLES (BUDDIE
LEE)**

S247751 D070847/D072017 Fourth Appellate District, Div. 1 **WINTER (KIMBERLY) v.**

Petition for review & publication request(s) denied

WINTER (JAMES)

S247775 H043100 Sixth Appellate District

Petition for review denied

**PEOPLE v. PACO (FABIAN
NAVARRO)**

S247794 B281367 Second Appellate District, Div. 2

Petition for review denied

**FARRISE (SIMONA) v.
BILLINGSLEY (ROSARIO
BACON)**

S247807 C083738 Third Appellate District

**MENEFIELD (JAMES
FREDRICK) v. BROWN, JR.,
(EDMUND G.)**

Petition for review & publication request(s) denied

S247812 E069715 Fourth Appellate District, Div. 2

**GARCIA (STEPHANIE) v. S.C.
(MOTOR COACH
INDUSTRIES, INC.)**

Petition for review denied

S247817 B276740 Second Appellate District, Div. 4

**PEOPLE v. BRUMFIELD
(STEVE RAY)**

Petition for review denied

S247820 D072040 Fourth Appellate District, Div. 1

PEOPLE v. SHEPARD (LISA)

Petition for review denied

S247831 B263506 Second Appellate District, Div. 7

**PEOPLE v. LINDSEY
(ARTHUR EUGENE)**

Petition for review denied

S247839 B268849 Second Appellate District, Div. 6

**TERRIS (SHAWN) v.
COUNTY OF SANTA
BARBARA**

Petition for review denied

S247864 C078999 Third Appellate District

**PEOPLE v. MARSH (DANIEL
WILLIAM)**

Petition for review denied

S247867 G053692 Fourth Appellate District, Div. 3

**PEOPLE v. ESPARZA
(JAVIER DAVID)**

Petition for review denied

S247876 B280748 Second Appellate District, Div. 8

**PEOPLE v. SALDANA
(ANTHONY JESUS)**

Petition for review denied

S247894 C085444 Third Appellate District

Petition for review denied

**PEOPLE v. SECREST, JR.,
(WILLIAM JAMES)**

S247930 C069441 Third Appellate District

Petition for review denied

**CIVIC PARTNERS
STOCKTON, LLC v. CITY OF
STOCKTON**

S247932 C083941 Third Appellate District

Petition for review denied

**PEOPLE v. NELSON
(ROBERT LEE)**

S247933 E067293 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. KRDOTYAN
(SARKIS)**

S247946 D072636 Fourth Appellate District, Div. 1
Petitions for review denied

PEOPLE v. LOPEZ (JAIME)

S247955 B282368 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SALGADO
(EDUARDO)**

S247958 B271759 Second Appellate District, Div. 3

Petition for review denied

**GILROY (TIMOTHY ALAN)
v. GILROY (JULIA YONI
STONE)**

S247959 B269983 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. CORONADO
(CAROL ANN)**

S247966 E066340 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WILSON
(CHARITY ELLEN)**

S247988 D073112 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LACY (LAQURON
DEANISE McLEAN)**

S248000 C083618 Third Appellate District

Petition for review denied

**PEOPLE v. WRIGHT
(DEQUAN ANTONIO)**

S248007 B275828 Second Appellate District, Div. 1

Petition for review denied

**CERTAIN UNDERWRITERS
AT LLOYD'S UNDER
POLICY NO. N330039 11
54826 v. CPE HR, INC.**

S248008 B282751 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. MENDEZ (ADAN)

S248015 B278939 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. VARGAS
(DIAMOND)**

S248018 D073009 Fourth Appellate District, Div. 1

Petition for review denied

**DERICKSON (LINN W.),
ESTATE OF**

S248031 A153396 First Appellate District, Div. 2

Petition for review denied

**STAHL (NORBERT) v. S.C.
(APEX MEDICAL
TECHNOLOGIES, INC.;
ZONE MEDICAL, LLC;
McGLOTHLIN)**

S248103 G053721 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. PETERSON
(ALFONSO KEE KEE)**

S248107 B270487 Second Appellate District, Div. 7
Petition for review & depublication request(s) denied

**REDFEARN (WAYNE) v.
TRADER JOE'S COMPANY**

S248110 B267921 Second Appellate District, Div. 5
Petition for review denied

PEOPLE v. VENEGAS (JOSE)

S248119 D073129 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. COOPER
(DOMONIC ANTONIO)**

S248129 B275743 Second Appellate District, Div. 1
Petition for review denied

**PRYOR (MARLON
JOHNSON) v. THE
AMERLAND GROUP LLC**

S248151 C076900 Third Appellate District
Petition for review denied

**DUNLAP (ROBERT) v.
FOLSOM LAKE FORD**

S248179 H044435 Sixth Appellate District
Petition for review denied

**PEOPLE v. GARDNER (RYAN
THOMAS)**

S248196 B279450 Second Appellate District, Div. 6
Petitions for review denied

**JOHNSON (JEREMY) v.
MICHINO (TOMOE)**

S248232 B280384 Second Appellate District, Div. 2
Petition for review denied

PEOPLE v. MEZA (OSCAR)

S248239 H042776 Sixth Appellate District
Petition for review denied

**PEOPLE v. RUELAS (JESUS
ALFONSO)**

S248242 B280879 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BUNTON
(DOUGLAS L.)**

S248245 F072793 Fifth Appellate District

Petition for review denied

**PEOPLE v. CRUZ, JR., (JOSE
LUIS)**

S248247 A151304 First Appellate District, Div. 1

Petition for review denied

IN RE R.F.

S248249 D072847 Fourth Appellate District, Div. 1

Petition for review denied

**ASPINALL (WILLIAM
CASEY) v. MURRIETA
VALLEY UNIFIED SCHOOL
DISTRICT**

S248257 C081471 Third Appellate District

Petition for review denied

**GMRI, INC. v. CALIFORNIA
DEPARTMENT OF TAX &
FEE ADMINISTRATION**

S248259 A150528 First Appellate District, Div. 2

Petition for review denied

IN RE J.G.

S248262 D071614 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BORGERDING
(ANDY J.)**

S248264 B270492 Second Appellate District, Div. 8

Petition for review denied

**WONG (GREGORY) v.
GLENDALE ADVENTIST
MEDICAL CENTER**

S248266**RODRIGUEZ (PEDRO) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION ONE
(PEOPLE)**

Petition for writ of mandate/prohibition denied

S248267

H043851 Sixth Appellate District

**SHAO (LINDA YI-TAI) &
WANG (TSAN-KUEN),
MARRIAGE OF**

The request for judicial notice filed April 19, 2018, is granted as to Exhibits A and B, and denied as to Exhibits C and D. The petition for review is denied.

S248269

E065838 Fourth Appellate District, Div. 2

**PEOPLE v. MORENO
(OSCAR KENNETH)**

Petition for review denied

S248273**GOUCH-ONASSIS
(DEBORAH E.) v. STATE OF
CALIFORNIA**

Petition for review denied

S248296

C083849 Third Appellate District

**PEOPLE v. FRANCIS
(RANDY HOWARD)**

Petition for review denied

S248318

B281696 Second Appellate District, Div. 6

**G. (C.) v. MURATA
(CHARLES)**

Petition for review denied

S248335

B281912 Second Appellate District, Div. 5

**PEOPLE v. FLORES, JR.,
(LUIS JORGE)**

Petition for review denied

S248338

B271589 Second Appellate District, Div. 3

**PEOPLE v. YOUNG
(MICHAEL)**

Petition for review denied

S248353 A153440 First Appellate District, Div. 1

Petition for review denied

**NORTH COAST JOURNAL v.
S.C. (THE CITY OF EUREKA)**

S248362 E066980 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SALCIDO
(RAYNALDO)**

S248377 C080282 Third Appellate District

Petition for review denied

**PEOPLE v. AGUILERA (JOSE
MANUEL)**

S248408 D073383 Fourth Appellate District, Div. 1

Petition for review denied

**DEL POZO (ELIZABETH S.)
v. LEMKE (RICHARD)**

S248696 G056200 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**ARAMBULA (ALLEN) v. S.C.
(IRVINE UNIFIED SCHOOL
DISTRICT)**

S248731

The petition for writ of supersedeas and application for stay are denied.

**DEL POZO (ELIZABETH S.)
v. LEMKE (RICHARD)**

S248742

Petition for writ of mandate/prohibition & application for stay denied

**LOPEZ (ARTHUR) v. S.C.
(CITY OF SANTA ANA)**

S242285

Petition for writ of habeas corpus denied

**IGE (GARRETT KAZUO) ON
H.C.**

S242794

Petition for writ of habeas corpus denied

**HUGHES (LAWRENCE
PARKER) ON H.C.**

S244831**AVERHART (WES DAVIS)
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].)

S245620**ESTRADA (ERIC JOHN) ON
H.C.**

Petition for writ of habeas corpus denied

S246907**SMITH (DeANTE REGINALD)
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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S246908**GLOVER (DAVID) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies].) Individual claims are denied, as applicable: (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].)

S246909**FORGATSCH (ERIK) ON H.C.**

Petition for writ of habeas corpus denied

S246919**SCOTT (LIONEL A.) ON H.C.**

Petition for writ of habeas corpus denied

S246922**CREE (DAVID) ON H.C.**

Petition for writ of habeas corpus denied

S246960**RAY, JR. (EDWARD
VINCENT) ON H.C.**

Petition for writ of habeas corpus denied

S247271**BRIGGS (JOSHUA JAMES)
ON H.C.**

Petition for writ of habeas corpus denied

S247281**REINHARDT (DAVE) 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].)

S247283**TALK (BILLY RAY) ON H.C.**

Petition for writ of habeas corpus denied

S247299**TIDWELL (JOHN
BENJAMIN) ON H.C.**

Petition for writ of habeas corpus denied

S247339**MOSLEY (LAVELLE) ON
H.C.**

Petition for writ of habeas corpus denied

S247341**MERINO (MARIO A.) ON
H.C.**

Petition for writ of habeas corpus denied

S247345**CROSS (JEROME LEE) ON
H.C.**

Petition for writ of habeas corpus denied

S247346**ALLEN (PATRICK) 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].)

S247365

**DICKMAN (MICHAEL) ON
H.C.**

Petition for writ of habeas corpus denied

S247419

**MADRID (DAVID JOSEPH)
ON H.C.**

Petition for writ of habeas corpus denied

S247421

**WASHINGTON (MARK
JOHANN) ON H.C.**

Petition for writ of habeas corpus denied

S247426

**GAFFENEY, JR., (JIMMY L.)
ON H.C.**

Petition for writ of habeas corpus denied

S247427

**CURRIE (VAUGHN J.) ON
H.C.**

Petition for writ of habeas corpus denied

S247428

**GREENSHIELDS (SEAN
ALEN) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S247466

HEARN (WILLIAM) 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].)

S247554

**RICHARDSON (DONN) 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].)

S247555

**RICHARDSON (DONN) ON
H.C.**

Petition for writ of habeas corpus denied

S247557

**TAYLOR (SIR MATTHEW
XAVIER) 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]; *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].)

S247574

**BRAN (GUILLERMO
ALEXANDER) ON H.C.**

Petition for writ of habeas corpus denied

S247575

**WILLIS (KEVIN
FITZGERALD) 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].)

S247585

HAYNES (DARYL B.) ON H.C.

Petition for writ of habeas corpus denied

S247589

McNEAL (PETER) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S247594

**BENGARA (RUDOLFO) ON
H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (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 Waltreus* (1965) 62 Cal.2d 218, 225

[courts will not entertain habeas corpus claims that were rejected on appeal]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S247599**BERNARD (MAURICE J.) ON
H.C.**

The petition for writ of habeas corpus is denied on the merits. (See *Harrington v. Richter* (2011) 562 U.S. 86, 99-100, citing *Ylst v. Nunnemaker* (1991) 501 U.S. 797, 803.)

S247608**GARMON (DURRAY M.) 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]; *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].)

S247609**BROWN (KENNETH
MANCIL) 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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

S247724

B281554 Second Appellate District, Div. 6

**CANO (JOSE NATIVIDAD),
ESTATE OF**

Publication request denied (case closed)

S247778

C084422 Third Appellate District

**4140 E. HAMMER LANE, LLC
v. COUNTY OF SAN
JOAQUIN (SCG
PROPERTIES, LLC)**

Publication request denied (case closed)

S247779 B280273 Second Appellate District, Div. 4

**KHORSAND (ARASH) v.
LIBERTY MUTUAL FIRE
INSURANCE COMPANY**

Publication request denied (case closed)

S247940 B271915 Second Appellate District, Div. 7

**PEOPLE v. HAMMOND
(KENNETH)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 5, 2018.

S247993 F073369 Fifth Appellate District

**JHS FAMILY LIMITED
PARTNERSHIP v. COUNTY
OF FRESNO**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2018.

S248005 A146617 First Appellate District, Div. 2

**VICTAULIC COMPANY v.
AMERICAN HOME
ASSURANCE COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2018.

S248046 D071733 Fourth Appellate District, Div. 1

**PEOPLE v. FOSTER
(JEREMY JOHN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 5, 2018.

S248075 B267619 Second Appellate District, Div. 7

**SANDERS (DEBORAH) v.
COUNTY OF LOS ANGELES**

The time for granting or denying review in the above-entitled matter is hereby extended to July 6, 2018.

S248076 G053403 Fourth Appellate District, Div. 3

PEOPLE v. TYE (MATTHEW)

The time for granting or denying review in the above-entitled matter is hereby extended to July 6, 2018.

S248115 B285092 Second Appellate District, Div. 5 **INVERSIONES PAPALUCHI
S.A.S. v. S.C. (ROBINSON
HELICOPTER COMPANY,
INC.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 6, 2018.

S248131 A148969 First Appellate District, Div. 2 **PEOPLE v. SINGLETON
(TERRENCE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 12, 2018.

S248159 E066445/E066446 Fourth Appellate District, Div. 2 **PEOPLE v. WAINSCOTT, JR.,
(ROBERT EUGENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 11, 2018.

S248160 D073000 Fourth Appellate District, Div. 1 **PEOPLE v. SILVA (JOHN
PAUL)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 12, 2018.

S243294 E064482 Fourth Appellate District, Div. 2 **BLACK SKY CAPITAL, LLC
v. COBB (MICHAEL A.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file an answer to the amicus curiae brief is extended to June 25, 2018.

S246490 A143026 First Appellate District, Div. 4 **NOEL (DIANA NIEVES) v.
THRIFTY PAYLESS, INC.**

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 July 13, 2018.

S247095 A141913 First Appellate District, Div. 4 **ALAMEDA COUNTY
DEPUTY SHERIFF'S
ASSOCIATION v. ALAMEDA
COUNTY EMPLOYEES'**

**RETIREMENT ASSN. & BD.
OF THE ALAMEDA COUNTY
EMPLOYEES' RETIREMENT
ASSN.; SERVICE
EMPLOYEES
INTERNATIONAL UNION,
LOCAL 1021; BUILDING
TRADES COUNCIL OF
ALAMEDA COUNTY**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 19, 2018.

S248421 A144542/A147993 First Appellate District, Div. 1 **BEESON (LINDA) v. LION
CONNECTICUT HOLDINGS
INC.**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is extended to June 4, 2018.

S248615 G056236 Fourth Appellate District, Div. 3 **CHAMBERS (RONNIE) v. S.C.
(PEOPLE)**

Extension of time granted

The application of real party in interest filed May 21, 2018, for an extension of time to serve and file the answer to the petition for review is extended to June 11, 2018. Petitioner may then file a reply on or before June 15, 2018.

S223978 **PEOPLE v. FULLER
(ROBERT DALE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Pamala Sayasane is hereby appointed to represent appellant Robert Dale Fuller for the direct appeal in the above automatic appeal now pending in this court.

S065877 **PEOPLE v. LOPEZ (BOBBY),
SERNA (HERMINIO) &
TRUJEQUE (JAMES)**

Order filed

Appellant Trujeque's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's March 10, 2010,

order appointing counsel for habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

Appellant Trujeque's motion for a determination that Proposition 66 is unconstitutional or, in the alternative, for equitable tolling, filed on January 27, 2017, is denied as moot.

S065877

**PEOPLE v. LOPEZ (BOBBY),
SERNA (HERMINIO) &
TRUJEQUE (JAMES)**

Order filed

Appellant Lopez's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's June 1, 2010, order appointing counsel for habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

Appellant Lopez's motion for a determination that Proposition 66 is unconstitutional or, in the alternative, for equitable tolling, filed on January 24, 2017, is denied as moot.

Appellant Lopez's "Motion for Expedited Ruling on Pending Motion For Order Declaring Proposition 66 Unconstitutional Generally And As Applied To Petitioner Lopez, Reaffirming The Existing Presumptive Timeliness Date For Filing The Habeas Corpus Petition, And Granting Equitable Tolling or Stay of Limitations Period," filed on December 8, 2017, is denied as moot.

S127119

PEOPLE v. GIVENS (TODD)

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's September 11, 2012, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

Appellant's "Motion For An Order Reconfirming The Period Within Which A Petition Will Be Considered Timely Filed; Or In The Alternative, Motion For Equitable Tolling; Memorandum Of Points And Authorities In Support Thereof," filed on December 20, 2017, is denied as moot.

S156877

**PEOPLE v. BROTHERS
(VINCENT EDWARD)**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's December 1, 2010, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S162413

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

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's October 18, 2016, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of death, Policy 3, std. 1-1.1.) Petitioner's "Motion for Ruling on Petitioner's Opposition to Transfer of Pending Petition for Writ of Habeas Corpus and Motion for an Order Reaffirming the Period Within Which an Amended Petition Will be Considered Timely Filed," filed on January 25, 2018, is denied as moot.

S172432

**PEOPLE v. CHEATHAM
(STEVEN DEWAYNE)**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's June 26, 2013, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

Appellant's "Motion for an Order Reconfirming the Period within which a Petition will be Considered Timely Filed; or in the Alternative, Motion for Equitable Tolling; Memorandum of Points and Authorities in Support Thereof," filed on December 20, 2017, is denied as moot.

S173784**PEOPLE v. OYLER
(RAYMOND LEE)**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's April 27, 2016, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S180711**PEOPLE v. KLING
(RANDOLPH CLIFTON)**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's October 15, 2014, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S188156**TAYLOR (BRANDON
ARNAE) ON H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's February 17, 2016, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of death, Policy 3, std. 1-1.1.) Petitioner's "Motion for Ruling on Petitioner's Opposition to Transfer of Pending Petition for Writ of Habeas Corpus and Motion for an Order Reaffirming the Period Within Which an Amended Petition Will be Considered Timely Filed," filed on January 19, 2018, is denied as moot.

S199551**SCOTT (DAVID LYNN) ON
H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's July 11, 2016, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S200982**PEOPLE v. RONQUILLO
(GABRIEL ALEXANDER)**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's April 15, 2015, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

Appellant's "Motion for an Order Reconfirming the Period within which a Petition will be Considered Timely Filed; or in the Alternative, Motion for Equitable Tolling; Memorandum of Points and Authorities in Support Thereof," filed on December 21, 2017, is denied as moot.

S204700**THOMAS (REGIS DEON) ON
H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's November 12, 2015, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S211187**SOUZA (MATTHEW ARIC)
ON H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the

superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's February 17, 2016, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.) Petitioner's "Motion for Ruling On Petitioner's Opposition to Transfer Pending Petition For Writ of Habeas Corpus and Motion For An order Reaffirming The Period Within Which An Amended Petition Will Be Considered Timely Filed," filed on January 10, 2018, is denied as moot.

S214433

**ROUNTREE (CHARLES F.)
ON H.C.**

Order filed

Appellant's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Appellant's motion for an order reaffirming the applicability of the timeliness standards in effect at the time counsel was appointed is granted. Pursuant to this court's October 19, 2015, order appointing counsel for both the direct appeal and related state habeas corpus/executive clemency proceedings, the petition will be deemed presumptively timely if filed within 180 days of the final due date for the appellant's reply brief in the automatic appeal. (See Supreme Court Policies Regarding Cases Arising from Judgments of Death, Policy 3, std. 1-1.1.)

S217284

**JONES (BRYAN MAURICE)
ON H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is denied as moot.

S229645

**CUNNINGHAM (JOHN LEE)
ON H.C.**

Order filed

Petitioner's motion for an order declaring the habeas corpus petition will not be transferred to the superior court is denied.

Petitioner's motion for an order reaffirming the period within which an amended habeas corpus petition will be considered timely filed is granted. Pursuant to this court's April 21, 2016, order appointing counsel for habeas corpus/executive clemency proceedings, any amended petition will be considered timely if filed within 36 months of counsel's appointment. (See Supreme Court Policies Regarding Cases Arising from Judgments of death, Policy 3, std. 1-1.1.)

S243042 H043426 Sixth Appellate District

**MORGAN HILL, CITY OF v.
BUSHEY (SHANNON)/
(RIVER PARK
HOSPITALITY; MORGAN
HILL HOTEL COALITION)**

Order filed

The request of counsel for respondent in the above-referenced cause to allow two counsel to argue on behalf of respondent at oral argument is hereby granted.

The request of Respondent to allocate to Katherine Ann Alberts 20 minutes and Jolie Houston 10 minutes of respondent's 30-minute allotted time for oral argument is granted.

S243042 H043426 Sixth Appellate District

**MORGAN HILL, CITY OF v.
BUSHEY (SHANNON)/
(RIVER PARK
HOSPITALITY; MORGAN
HILL HOTEL COALITION)**

Order filed

City of Morgan Hill's October 17, 2017, motion for judicial notice is granted, but its December 12, 2017, motion for judicial notice is denied. Morgan Hill Hotel Coalition's May 18, 2018, motion for judicial notice is granted.

S248428

**PEOPLE v. DEWS
(CLARENCE LEON)**

Transferred to Court of Appeal, Fifth Appellate District

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

S248486

**LATHAM (RICHARD) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION (BOARD
OF PAROLE HEARINGS)**

Transferred to Court of Appeal, First Appellate District

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

S248575

**PRUITT (JEFFREY D.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION (BOARD
OF PAROLE HEARINGS)**

Transferred to Court of Appeal, Sixth Appellate District

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

S247914

**PROPOSED CALIFORNIA
RULE OF COURT
REGARDING
FINGERPRINTING OF
ACTIVE LICENSED
ATTORNEYS**

Rule adopted as recommended

The adoption of California Rules of Court, rule 9.9.5, is approved, effective June 1, 2018. The text of rule 9.9.5 is attached hereto.

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

S247844

Petition denied

(accusation)

ACCUSATION OF JONES, JR.