

**SUPREME COURT MINUTES  
TUESDAY, NOVEMBER 20, 2018  
SAN FRANCISCO, CALIFORNIA  
AMENDED\***

**S250829**      F074581 Fifth Appellate District

**PEOPLE v. LOPEZ  
(ANTHONY)**

Petition for review granted; issues limited

The petition for review is granted. The issues to be briefed are limited to the following: (1) Can the prosecution charge theft and shoplifting of the same property, notwithstanding Penal Code section 459.5, subdivision (b), which provides that “Any act of shoplifting as defined in subdivision (a) shall be charged as shoplifting. No person who is charged with shoplifting may also be charged with burglary or theft of the same property?” (2) If not, was trial counsel was ineffective for failing to object to the theft charge?

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

**S251135**

**BUSKER (JOHN) v. WABTEC  
CORPORATION; MARTIN  
(MARK); DOES, 1 THROUGH  
100**

Request for certification granted

The request, made pursuant to California Rules of Court, rule 8.548, for this court to decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is granted.

For the purposes of briefing and oral argument, appellant John Busker is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

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

**S251333**      F073942 Fifth Appellate District

**PEOPLE v. McKENZIE  
(DOUGLAS EDWARD)**

Petition for review granted

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

**S246214**      E066330 Fourth Appellate District, Div. 2

**GARDNER (CHRISTOPHER)  
v. S.C. (PEOPLE)**

Supplemental briefing ordered

On or before December 10, 2018, the parties are directed to serve and file simultaneous supplemental letter briefs discussing the relevance, if any, of article I, section 15 of the California Constitution to the issues in this case, including whether a defendant facing misdemeanor charges is entitled to the assistance of appointed counsel at critical stages of the criminal cause, without regard to whether the defendant will ultimately be sentenced to a term of imprisonment. (*In re Johnson* (1965) 62 Cal.2d 325, 329.) Amici curiae may file supplemental letter briefs addressing the same issue on or before December 10, 2018. Within 10 days of the filing of these briefs, the parties may serve and file optional reply letter briefs.

**S251441** C078749 Third Appellate District

**PEOPLE v. INABNIT (JAMES LEE)**

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. Orozco*, S249495 (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.

**S252048** A149139 First Appellate District, Div. 2

**PEOPLE v. NELSON (MARK ANTHONY)**

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

The request for leave to file a supplemental petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

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

**S252064** E067112 Fourth Appellate District, Div. 2

**PEOPLE v. HERNANDEZ (ROGER ADRIAN)**

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

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 Two, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 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.

**S192662****PEOPLE v. FAJARDO  
(JONATHAN)**

Appeal abated

As indicated in a certified copy of a certificate of death, appellant Jonathan Fajardo died on October 5, 2018. Accordingly, the appeal in *People v. Jonathan Fajardo*, case no. S192662, is permanently abated, and the Superior Court of California, County of Los Angeles is directed to enter an order to that effect in case no. NA072796. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.) The “Motion to Abate Appeal,” filed by appellant’s counsel on November 5, 2018, is denied.

**S251103**      B276789 Second Appellate District, Div. 4  
Petitions for review denied**PEOPLE v. DUENAS (JOSE)****S251218**      G054247 Fourth Appellate District, Div. 3  
Petition for review & depublication request(s) denied**KNUTSON (DAGNY) v.  
FOSTER (RICHARD J.)****S251278**      G054457 Fourth Appellate District, Div. 3  
Petition for review denied**PEOPLE v. FLORES  
(CAMERINO)****S251291**      A154825 First Appellate District, Div. 3  
Petition for review denied**LUCKHARDT (DEBORAH) v.  
S.C. (PEOPLE)****S251304**      D073277 Fourth Appellate District, Div. 1  
Petition for review denied**PEOPLE v. FRANKLIN  
(JAMES L.)****S251318**      B281722 Second Appellate District, Div. 1  
Petition for review denied  
The application to appear as counsel pro hac vice is granted.**JOHN DOE v. CLAREMONT  
McKENNA COLLEGE**

**S251329** H044764 Sixth Appellate District

Petition for review denied

**JACKPOT HARVESTING  
COMPANY, INC. v. S.C.  
(LAINEZ)**

**S251338** B285480 Second Appellate District, Div. 6  
Petition for review denied

**IN RE J.S.**

**S251390** C079531 Third Appellate District

Petition for review denied

**PEOPLE v. STRINGFELLOW  
(KENNETH CHARLES)**

**S251435** F073400 Fifth Appellate District

Petition for review denied

**PEOPLE v. EVANS  
(CHARLES SCOTT)**

**S251455** A147185 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CHAMBERLIN  
(WILLIAM)**

**S251488** E067669 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CORONA  
(PABLO)**

**S251535** C083240 Third Appellate District

Petition for review denied

**PEOPLE v. MEDINA  
(NICHOLAS)**

**S251555** C077506 Third Appellate District

Petition for review denied

**PEOPLE v. MONROE  
(D'ANDRE LEON)**

**S251563** B282287 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. RATLIFF (KEITH  
L.)**

<b>S251576</b>	B287610 Second Appellate District, Div. 8	<b>PEOPLE v. CACHU (JORGE LUIS)</b>
Petition for review denied		
<b>S251580</b>	A145534 First Appellate District, Div. 3	<b>PEOPLE v. VULANGI (VILIAMI)</b>
Petition for review denied		
<b>S251582</b>	B268456 Second Appellate District, Div. 7	<b>PEOPLE v. THOMAS (ANNETTE LASHAY)</b>
Petition for review denied		
<b>S251610</b>	D073609 Fourth Appellate District, Div. 1	<b>PEOPLE v. BISHOP (RONALD STEVEN)</b>
Petition for review denied		
<b>S251641</b>	H045358 Sixth Appellate District	<b>IN RE D.B.</b>
Petition for review denied		
Petitioner J.B.'s request for judicial notice, filed October 2, 2018, is granted.		
<b>S251643</b>	A149315 First Appellate District, Div. 3	<b>PEOPLE v. THOMAS (MELINDA ELIZABETH)</b>
Petition for review denied		
<b>S251646</b>	A141138 First Appellate District, Div. 4	<b>SAN FRANCISCANS FOR LIVABLE NEIGHBORHOODS v. CITY &amp; COUNTY OF SAN FRANCISCO</b>
Petition for review denied		
<b>S251661</b>	B292101 Second Appellate District, Div. 3	<b>LOS ANGELES, CITY OF v. S.C. (BABAKHANYAN)</b>
Petition for review denied		

**S251662** C078854 Third Appellate District

Petition for review denied

**PEOPLE v. PERMUT  
(JEFFREY ALAN)**

**S251687** B283480/B283486 Second Appellate District, Div. 2 **CITIZENS COALITION LOS ANGELES v. CITY OF LOS ANGELES (TARGET CORPORATION)**

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 August 23, 2018, which appears at 26 Cal.App.5th 561. (Cal. Const., art. VI, § 14; Cal. Rules of Court, rule 8.1125(c)(1).)

**S251693** C071825 Third Appellate District

Petition for review denied

**PEOPLE v. BOWENS  
(DANTE)**

**S251733** G054213/G054687 Fourth Appellate District, Div. 3 **DORNE (HOWARD) v. VASCULAR & INTERVENTIONAL SPECIALISTS OF ORANGE COUNTY**

Petition for review denied

**S251774** F077958 Fifth Appellate District  
Petition for review denied

**JONES (ARTHUR) ON H.C.**

**S251777** F073552 Fifth Appellate District

Petition for review denied

**PEOPLE v. THOMAS  
(KESHAWN)**

**S251850** B284283 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. SHELL  
(DONNELL LAMONT)**

**S251851**      B284256 Second Appellate District, Div. 8

Petition for review denied

**CAPPELLO GROUP, INC. v.  
MEADOW (CARY)**

**S251857**

Petition for writ of mandate/prohibition denied

**BROOKS (JONATHAN) v.  
COURT OF APPEAL,  
SECOND APPELLATE  
DISTRICT, DIVISION THREE  
(SADEGHPOUR)**

**S251862**      B280130 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. PLEDGER  
(JAMES LAMARR)**

**S251875**      H044258 Sixth Appellate District

Petition for review denied

**SAN BENITO COUNTY  
WATER DISTRICT v.  
McALPINE (RANDALL)**

**S251883**      D072541 Fourth Appellate District, Div. 1

Petition for review denied

**DIERENFIELD (DENNIS) v.  
COMMONWEALTH LAND  
TITLE COMPANY**

**S251913**      B282223 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ALFARO (IVAN)**

**S251932**      B287549 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BALL (RICHARD  
ALAN)**

**S251940**      E067851 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BURDICK  
(MICHAEL RAY)**

**S251941**      B283933 Second Appellate District, Div. 6  
Petition for review denied

**IN RE A.F.**

**S251946**      F075991 Fifth Appellate District  
  
Petition for review denied

**PEOPLE v. RAMOS, JR.,  
(JUVENCIO)**

**S251947**      C087997 Third Appellate District  
  
Petition for review denied

**BELYEW (LISA) v. S.C.  
(PEOPLE)**

**S251957**      F073881 Fifth Appellate District  
  
Petition for review denied

**PEOPLE v. SHEPHERD  
(RONALD WAYNE)**

**S251958**      E068688 Fourth Appellate District, Div. 2  
  
Petition for review denied

**PEOPLE v. BROWN (DAVID  
MICHAEL)**

**S251964**      D073098 Fourth Appellate District, Div. 1  
Petition for review denied

**IN RE M.A.**

**S251966**      C068036 Third Appellate District  
  
Petition for review denied

**PEOPLE v. SANCHEZ  
(MIGUEL CARRANZA)**

**S251972**      D072454 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. ALLEN (DANIEL)**

**S251973**      G055045 Fourth Appellate District, Div. 3  
  
Petition for review denied

**PEOPLE v. ALDAVE  
(GABRIEL WILLIAMS)**



**S251976**      D073354 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. STRONG  
(CLIFFORD WAYNE)**

**S251977**      H044551 Sixth Appellate District

Petition for review denied

**PEOPLE v. BOUCHEREAU  
(ANTHONY)**

**S251979**

Petition for writ of mandate/prohibition denied

**GRUNWALD (JOSHUA) v.  
COURT OF APPEAL,  
FOURTH APPELLATE  
DISTRICT, DIVISION THREE  
(PEOPLE)**

**S251981**      A149158 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BUENO (FIDEL)**

**S251990**      B278946 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. CARR (DEBRA R.)**

**S251998**      E068363 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MARTINEZ-  
TUCK (ELVIS ARMANDO)**

**S252001**      E068671 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. McCORD  
(WILLIAM PATRICK MILL)**

**S252002**      D072738 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GAMBOA  
(ARNULFO)**

**S252020**      C082602 Third Appellate District

Petition for review denied

**PEOPLE v. AQUINO-  
HERNANDEZ (MAXIMINO)**

**S252036**      B284026 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CRUZ  
MEMBRENO (SANTOS  
ERNESTO)**

**S252049**      B292355 Second Appellate District, Div. 8

Petition for review denied

**CERVANTES (DANIEL) v.  
S.C. (PEOPLE)**

**S252050**      B285726 Second Appellate District, Div. 5

Petition for review denied

**GENDY (SAFWAT) v.  
GEORGIE (NAHED)**

**S252054**      A150704 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MONERT  
(MICHAEL)**

**S252068**      E069372 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. YSLAS (STEVEN  
ANTHONY)**

**S252070**      B278374 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. NORELLI  
(RENNIE ANTHONY)**

**S252072**      F074102 Fifth Appellate District

Petition for review denied

**PEOPLE v. KAYLOR  
(PHILLIP ANTHONY)**

**S249718**

**CLARK (ROGER ELIOT) 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].)

**S249758****MATHEIS (BRIAN THOMAS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S249994****SANDERS (RICKY RENE) 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].)

**S249995****MORRIS (CONDALEE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S249996****WALLIN-REED (GREGORY  
CHAD) ON H.C.**

Petition for writ of habeas corpus denied

**S249998****CINGCON (DAVID  
RICHARD) 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].)

**S249999****CURL (NOEL) ON H.C.**

Petition for writ of habeas corpus denied

**S250000****SEMIEN (ANTHONY  
MARVELL) 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 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].)

**S250001****CLOWSER (LUCAS) ON H.C.**

Petition for writ of habeas corpus denied

**S250003****BROUSSARD, JR., (CURLEY JOHN) 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].) 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 Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *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 Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

**S250004****GARMON (DURRAY M.) ON H.C.**

Petition for writ of habeas corpus denied

**S250007****HERRERA (MARK) ON H.C.**

Petition for writ of habeas corpus denied

**S250838** G055727 Fourth Appellate District, Div. 3  
Publication request denied (case closed)

**IN RE EMERY G.**

**S251423** A148182 First Appellate District, Div. 3

**FOREST PRESERVATION  
SOCIETY v. DEPARTMENT  
OF FORESTRY & FIRE  
PROTECTION (MENDOCINO  
REDWOOD COMPANY, LLC)**

Publication requests denied (case closed)

**S251436** D072129 Fourth Appellate District, Div. 1

**FARMER (TYLER) v. LABOR  
READY SOUTHWEST, INC.;  
HULL (MICHAEL)**

Publication request denied (case closed)

**S251806**      B281022 Second Appellate District, Div. 4      **ALFARO (DELGADINA) v.  
COLGATE-PALMOLIVE  
COMPANY**

Depublication request denied (case closed)

The depublication request is denied. The court declines to order review on its own motion. This matter is now final.

**S251568**      A155278 First Appellate District, Div. 5      **CREWS (TIMOTHY ALAN) v.  
S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 26, 2018.

**S251579**      A151676 First Appellate District, Div. 1      **PEOPLE v. JACKSON  
(JULIUS LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 27, 2018.

**S251589**      C084200 Third Appellate District      **PEOPLE v. TAYLOR (TEVIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 27, 2018.

**S104665**      **PEOPLE v. POORE  
(CHRISTOPHER ERIC)**

Counsel appointment order filed

Good cause appearing, the application of appointed appellate counsel of record for the appointment of associate counsel, filed October 29, 2018, is granted.

Patricia A. Scott is hereby appointed as associate counsel of record, under the supervision of appointed lead counsel R. Clayton Seaman, Jr., to represent appellant Christopher Eric Poore for the direct appeal in the above automatic appeal now pending in this court.

**S182341**      **PEOPLE v. BUETTNER  
(JEFFREE J.) & JONES  
(GLEN JOSEPH)**

Counsel appointment order filed

Good cause appearing, the application of appointed appellate counsel of record for appellant Jeffree J. Buettner for the appointment of associate counsel, filed November 6, 2018, is granted.

Patricia A. Scott is hereby appointed as associate appellate counsel of record, under the supervision of appointed lead counsel R. Clayton Seaman, Jr., to represent appellant Jeffree J. Buettner in the above automatic appeal now pending in this court.

**S222470****SULLY (ANTHONY JOHN)  
ON H.C.**

Marsden motion denied

The “Marsden Motion” submitted to the court by condemned prisoner Anthony John Sully in propria persona and filed on October 9, 2018, is denied.

**S244311****ADAMS (CEDRIC) ON H.C.**

Motion to file document under seal granted

Petitioner’s “Application to File Under Seal; Memorandum of Points and Authorities; Declaration,” filed on September 14, 2017, is granted in part and denied in part.

The application to file under seal Exhibit 1, Exhibit 2, and Exhibit 3 in Volume 1 is granted. (Cal. Rules of Court, rules 8.45(b)(5), 8.47(c)(1); Welf. & Inst. Code, § 827.)

The application to file under seal Exhibit 4, Exhibit 5, Exhibit 6, Exhibit 7, and Exhibit 8 in Volume 1 is granted. (Pen. Code, § 1203.05; Cal. Rules of Court, rules 8.45(b)(5) and 8.46(b)(1).) The application to file under seal Exhibit 31 in Volume 3 is granted. (*Ibid.*)

The application to file under seal Exhibit 52 in Volume 4 is granted because it references the exhibits to be filed under seal.

The application to file under seal the unredacted Petition for Writ of Habeas Corpus is granted.

The application to file Exhibit 54 in Volume 5 is denied. (Cal. Rules of Court, rules 2.550, 2.551, and 8.46.)

The clerk of this court is directed to return “Exhibits in Support of Petition for Writ of Habeas Corpus, Volume 5 of 5, which contains Exhibit 54,” lodged conditionally under seal in this court on September 14, 2017, to counsel for petitioner, unless petitioner notifies the clerk in writing within 10 days after the date of this order that the lodged exhibit is to be filed as part of the public record. (See Cal. Rules of Court, rule 8.46(d)(7).)

The petition for writ of habeas corpus and exhibits will be filed nunc pro tunc to September 14, 2017.

**S246827****ATLAS, JR., (JOHN) ON H.C.**

Motion to file document under seal granted

Petitioner’s “Renewed Application to File Under Seal; Memorandum of Points and Authorities; Declaration; Attachment,” filed on November 5, 2018, is granted. The Clerk is directed to: (1) file under seal the unredacted “Petition for Writ of Habeas Corpus” and Exhibit 3 (Volume 1 of 1), lodged conditionally under seal in this court on November 5, 2018, nunc pro tunc to

January 31, 2018; (2) publicly file the redacted “Petition for Writ of Habeas Corpus” and the redacted “Exhibits in Support of Petition for Writ of Habeas Corpus, Volume 1 of 1,” lodged in this court on November 5, 2018, nunc pro tunc to January 31, 2018; and (3) file the corrected “Reply to Informal Response to Petition for Writ of Habeas Corpus,” filed in this Court on November 5, 2018, nunc pro tunc to May 24, 2018.

**S252604****BAR ADMISSION 2018 (JULY EXAM)**

General Bar admission order filed

The written motion #1,394 of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted as attorneys at law in all courts of the State of California upon their taking the prescribed oath before a competent officer on or after November 20, 2018, and within the time limits specified by Title 4, Division 1 of the Rules of the State Bar of California, is hereby granted:  
(SEE ATTACHED LIST OF NAMES)

**S251695****ACCUSATION OF SHAW, JR.**

Petition denied (accusation)

**S251951****ACCUSATION OF BAUTISTA**

Petition denied (accusation)

**S249603****SULLIVAN ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied. The court orders that RICHARD J. SULLIVAN, State Bar Number 169297, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RICHARD J. SULLIVAN is suspended from the practice of law for a minimum of the first 18 months of probation, and he will remain suspended until the following conditions are satisfied:
  - i. He pays court sanctions to the defendants, Francis Taylor Living Trust, Francis James Taylor, and Dolores Kelley Taylor, or their attorney, Marc J. Schwartz, in Windsor Mango Way, LLC; *Windsor Investments, Inc. v. Francis James Taylor, et al.*, Los Angeles County Superior Court, case No. BC 453450, in the amount of \$2,500 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Francis Taylor Living Trust, Francis James Taylor, and Dolores Kelley Taylor, or their

attorney, Marc J. Schwartz, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and

- ii. He provides proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. RICHARD J. SULLIVAN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 7, 2018.
3. At the expiration of the period of probation, if RICHARD J. SULLIVAN has complied with all conditions of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

RICHARD J. SULLIVAN must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

RICHARD J. SULLIVAN must also comply with California Rules of Court, rule 9.20, 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. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S250177****GOLDEN ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied. The court orders that STEPHEN RAWLIEGH GOLDEN, State Bar Number 163366, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. STEPHEN RAWLIEGH GOLDEN is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following conditions are satisfied:
  - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
    - (1) Joshua McDonough in the amount of \$35,117 plus 10 percent interest per year from November 18, 2010;
    - (2) Tim Mazziotti and Suzanne Wells Schurman in the amount of \$51,000 plus 10 percent interest per year from August 28, 2012;
    - (3) Tim Mazziotti and Suzanne Wells Schurman in the amount of \$2,500 plus 10



- percent interest per year from February 8, 2016;
- (4) Doris Johnson Bennett in the amount of \$18,150 plus 10 percent interest per year from December 4, 2014;
  - (5) Jonathan Bartlett in the amount of \$17,623.06 plus 10 percent interest per year from September 6, 2013;
  - (6) Raymond and Suzanne Schneiders in the amount of \$37,422.29 plus 10 percent interest per year from February 24, 2014;
  - (7) Oscar Arellano in the amount of \$18,250 plus 10 percent interest per year from September 4, 2012;
  - (8) Bo and Grace McCarthy in the amount of \$13,500 plus 10 percent interest per year from January 15, 2014;
  - (9) Robert Garcia in the amount of \$4,950 plus 10 percent interest per year from July 30, 2014;
  - (10) Adrienne Kessler in the amount of \$41,599.60 plus 10 percent interest per year from August 2, 2012;
  - (11) Felice Soule in the amount of \$32,000 plus 10 percent interest per year from September 30, 2012; and
  - (12) Cherie Adams in the amount of \$6,250 plus 10 percent interest per year from March 4, 2014.
- ii. He provides proof to the State Bar Court of his rehabilitation, fitness to practice, and learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. STEPHEN RAWLIEGH GOLDEN must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on May 30, 2018.
  3. At the expiration of the period of probation, if STEPHEN RAWLIEGH GOLDEN has complied with all conditions of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

STEPHEN RAWLIEGH GOLDEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

STEPHEN RAWLIEGH GOLDEN must also comply with California Rules of Court, rule 9.20, 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. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
LOS ANGELES SESSION  
DECEMBER 5, 2018  
SECOND 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 December 5, 2018.

**WEDNESDAY, DECEMBER 5, 2018 — 9:00 A.M.**

- (1) Cal Fire Local 2881 et al. v. California Public Employees' Retirement System et al. (State of California), S239958  
(*Zelon, J., assigned justice pro tempore*)
- (2) Sweetwater Union School District v. Gilbane Building Company et al., S233526  
(*Manella, P. J., assigned justice pro tempore*)
- (3) People v. Amezcua (Oswaldo) and Flores (Joseph), [Automatic Appeal], S133660  
(*O'Rourke, J., assigned justice pro tempore*)

**1:30 P.M.**

- (4) Goonewardene (Sharmalee) v. ADP, LLC, et al., S238941  
(*Irion, J., assigned justice pro tempore*)
- (5) In re J.G., S240397  
(*McKinster, J., assigned justice pro tempore*)
- (6) McClain (Michael) et al. v. Sav-On Drugs et al., and Consolidated Case, S241471  
(*O'Leary, P. J., assigned justice pro tempore*)

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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).)

**S251878****CRAWFORD (MICHAEL  
DAVID) ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

**S251879****WRIGHT (RODERICK  
DEVON) ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

**S251888****JACKSON (TYRONE)  
ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

**S251890****FLORES (GUSTAVO) ON  
CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

**S251891****FISCHER (MICHAEL)  
ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

**\*1059569-18**

THE HONORABLE THOMAS LYLE WILLHITE, JR., Associate Justice of the Court of Appeal, Second Appellate District, Division Four, is hereby assigned to assist the California Supreme Court, as a justice thereof, on \*November 19, 2018, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: November 20, 2018

**\*1059570-18**

THE HONORABLE LAURIE D. ZELON, Associate Justice of the Court of Appeal, Second Appellate District, Division Seven, is hereby assigned to assist the California Supreme Court, as a justice thereof, on \*November 19, 2018, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

Dated: November 20, 2018