

**SUPREME COURT MINUTES
THURSDAY, OCTOBER 12, 2017
SAN FRANCISCO, CALIFORNIA**

S242985

C081813 Third Appellate District

**PEOPLE v. WOODS
(MONTRELL)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District
The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether defendant is entitled to make a record before the superior court of “mitigating evidence tied to his youth” in light of *People v. Franklin* (2016) 63 Cal.4th 261, 268-269, 283-284 and Penal Code sections 3051 and 4801, subdivision (c).

Votes: Liu, Cuéllar, Kruger, and Miller*, JJ.

* Justice Miller, Associate Justice of the Court of Appeal, Fourth Appellate District, Division Two, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S244813

H045095 Sixth Appellate District

**VON DORRER-
HILDEBRAND (CHRISTINA)
& VECCIA (ELLEN M.),
MARRIAGE OF**

Stay order filed

To permit consideration of the petition for review filed herein, the “Order after Hearing” filed on August 14, 2017, by the Santa Clara County Superior Court in case no. 2012-1-FL-162814, entitled *Christina Von Dorrer-Hildebrand v. Ellen M. Veccia*, is hereby stayed pending further order of this court.

S243798**MUHAMMAD (SENEGAL)
ON H.C.**

Order filed

The order filed on September 20, 2017, denying the petition for writ of habeas corpus is hereby amended as to the title as follows:

In re MITCHELL SENEGAL on Habeas Corpus

S243703**SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that HAYDEN GIFFORD SMITH, State Bar Number 241606, 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. HAYDEN GIFFORD SMITH is suspended from the practice of law for the first 90 days of probation;
2. HAYDEN GIFFORD SMITH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 12, 2017; and
3. At the expiration of the period of probation, if HAYDEN GIFFORD SMITH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

HAYDEN GIFFORD SMITH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order 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).)

HAYDEN GIFFORD SMITH 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.

S243704**WISEBLOOD ON
DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID MARVIN WISEBLOOD, State Bar Number 115312, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. DAVID MARVIN WISEBLOOD is suspended from the practice of law for the first 60 days of probation;
2. DAVID MARVIN WISEBLOOD must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 13, 2017; and
3. At the expiration of the period of probation, if DAVID MARVIN WISEBLOOD has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID MARVIN WISEBLOOD must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order 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).)

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.

S243705**ROBINSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BRYAN L. ROBINSON, State Bar Number 188493, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BRYAN L. ROBINSON 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.

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.

S243729**MARMAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSEPH HENRY MARMAN, State Bar Number 129517, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOSEPH HENRY MARMAN 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.

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.

S243740**QUACKENBUSH ON
DISCIPLINE**

Recommended discipline imposed

The court orders that GARY ALLEN QUACKENBUSH, State Bar Number 137752, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years' subject to the following conditions:

1. GARY ALLEN QUACKENBUSH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 27, 2017; and
2. At the expiration of the period of probation, if GARY ALLEN QUACKENBUSH has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GARY ALLEN QUACKENBUSH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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. One-half of the costs must be paid with his membership fees for each of the years 2018 and 2019. If GARY ALLEN QUACKENBUSH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S243783**PARK ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ELLIS PARK, State Bar Number 214303, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ELLIS PARK must make restitution to James Park in the amount of \$14,112.64 plus 10 percent interest per year from November 18, 2014. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

ELLIS PARK 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.

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.

S243788**PRIEBE ON DISCIPLINE**

Recommended discipline imposed

The court orders that TIMOTHY JAMES PRIEBE, State Bar Number 169580, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years' subject to the following conditions:

1. TIMOTHY JAMES PRIEBE must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 30, 2017; and
2. At the expiration of the period of probation, if TIMOTHY JAMES PRIEBE has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

TIMOTHY JAMES PRIEBE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

S243790**SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM LEO SMITH, State Bar Number 137805, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM LEO SMITH 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.

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.

S243801**MANGUM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JACQUELINE A. MANGUM, State Bar Number 114066, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

JACQUELINE A. MANGUM 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.

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.

S243807**TRAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that VI KATERINA TRAN, State Bar Number 244412, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

VI KATERINA TRAN 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.

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.

S243808**NOBLE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM HARDY NOBLE, State Bar Number 201194, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM HARDY NOBLE 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.

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.

S243809**TRAEG ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ALICE BROWN TRAEG, State Bar Number 79823, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

ALICE BROWN TRAEG 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.

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.

S243811**SWANSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JULIA SUSANNA SWANSON, State Bar Number 165039, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

JULIA SUSANNA SWANSON 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.

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.

S243907**BOLES ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES ANDRE BOLES, State Bar Number 141639, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years' subject to the following conditions:

1. JAMES ANDRE BOLES is suspended from the practice of law for the first 60 days of probation;
2. JAMES ANDRE BOLES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 14, 2017; and
3. At the expiration of the period of probation, if JAMES ANDRE BOLES has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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.

S243913**CHANG ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GENE W. CHANG, State Bar Number 177216, is disbarred from the practice of law and that his name is stricken from the roll of attorneys.

GENE W. CHANG must make restitution to Michael Taylor in the amount of \$8,323 plus 10 percent interest per year from December 2, 2015. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

GENE W. CHANG 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.

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.

S243914**CLYDE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID NEIL CLYDE, State Bar Number 89068, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years' subject to the following conditions:

1. DAVID NEIL CLYDE is suspended from the practice of law for a minimum of the first 30 days of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He makes restitution to Jeneluj Cunanan in the amount of \$6,035 plus 10 percent interest per year from May 1, 2014 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Jeneluj Cunanan, 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. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide 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. DAVID NEIL CLYDE must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 19, 2017.
3. At the expiration of the period of probation, if DAVID NEIL CLYDE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID NEIL CLYDE 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).)

If DAVID NEIL CLYDE remains suspended for 90 days or more, he 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 120 and 130 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.

S243915**GUMINA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSEPH D. GUMINA, State Bar Number 288834, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOSEPH D. GUMINA 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.

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.

S243916**LOMBINO ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHARLES DOMINICK LOMBINO, State Bar Number 94292, 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. CHARLES DOMINICK LOMBINO is suspended from the practice of law for the first six months of probation;
2. CHARLES DOMINICK LOMBINO must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 29, 2017; and
3. At the expiration of the period of probation, if CHARLES DOMINICK LOMBINO has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CHARLES DOMINICK LOMBINO must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order 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).)

CHARLES DOMINICK LOMBINO 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. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If CHARLES DOMINICK LOMBINO fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S243920**BROWN IV ON DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS PATRICK BROWN IV, State Bar Number 97315, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. THOMAS PATRICK BROWN IV is suspended from the practice of law for the first 30 days of probation;
2. THOMAS PATRICK BROWN IV must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on March 8, 2017; and
3. At the expiration of the period of probation, if THOMAS PATRICK BROWN IV has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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.

S243922**CUTLER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARTIN IAN CUTLER, State Bar Number 139536, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MARTIN IAN CUTLER 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.

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.