

**SUPREME COURT MINUTES
TUESDAY, OCTOBER 20, 2015
SAN FRANCISCO, CALIFORNIA**

S229869**DAVIS (CLARENCE) ON H.C.**

Petition ordered withdrawn

Pursuant to written request by petitioner, the petition for writ of habeas corpus filed on October 9, 2015, is hereby ordered dismissed without prejudice.

S110804**PEOPLE v. ACREMANT
(ROBERT JAMES)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Justain P. Riley's representation that the respondent's brief is anticipated to be filed by February 18, 2016, counsel's request for an extension of time in which to file that brief is granted to December 15, 2015. After that date, only one further extension totaling about 64 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S124131**PEOPLE v. BARRETT
(JOSEPH ANTHONY)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Lisa M. Romo's representation that the appellant's reply brief is anticipated to be filed by December 18, 2015, counsel's request for an extension of time in which to file that brief is granted to December 18, 2015. After that date, no further extension will be granted.

S164370**PEOPLE v. VOLARVICH
(BRENDT ANTHONY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 24, 2015.

S165649**PEOPLE v. COOK
(MICHAEL)**

Extension of time granted

Good cause appearing, and based upon counsel Marcia A. Morrissey's representation that the appellant's opening brief is anticipated to be filed by May 15, 2017, counsel's request for an extension of time in which to file that brief is granted to December 28, 2015. After that date, only nine further extensions totaling about 508 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

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

Extension of time granted

Good cause appearing, and based upon counsel Mary T. McKelvey's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 17, 2016, counsel's request for an extension of time in which to file that document is granted to December 14, 2015. After that date, only five further extensions totaling about 307 additional days are contemplated.

S178123**BUTLER (RAYMOND
OSCAR) ON H.C.**

Extension of time granted

Good cause appearing, counsel Shelley K. Mack's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to December 9, 2015. After that date, no further extension will be granted.

S180174**PEOPLE v. ALVAREZ
(ALBERTO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 22, 2015.

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

Extension of time granted

On application of appellant Glen Joseph Jones and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 18, 2015.

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

Extension of time granted

On application of appellant Jeffree Jay Buettner and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 18, 2015.

S186162**PEOPLE v. MEJORADO
(JOSE SERGIO)**

Extension of time granted

Good cause appearing, and based upon counsel Eric S. Multhaup's representation that the appellant's opening brief is anticipated to be filed by July 22, 2016, counsel's request for an extension of time in which to file that brief is granted to December 21, 2015. After that date, only four further extensions totaling about 214 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S193669**NELSON (BERNARD
ALBERT) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Michael J. Wise's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 3, 2015, counsel's request for an extension of time in which to file that document is granted to November 3, 2015. After that date, no further extension is contemplated.

S196555**THOMAS (ALEX DALE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary B. Wells's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 27, 2016, counsel's request for an extension of time in which to file that document is granted to December 29, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S208154**POWELL (CARL D.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary B. Wells's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 18, 2015, counsel's request for an extension of time in which to file that brief is granted to December 18, 2015. After that date, no further extension will be granted.

S220187

C074264 Third Appellate District

IN RE ABBIGAIL A.

Extension of time granted

On application of United States' and good cause appearing, it is ordered that the time to serve and file the amicus curiae is extended to December 14, 2015.

S225398

B255558 Second Appellate District, Div. 8

**ROY ALLAN SLURRY SEAL,
INC. v. AMERICAN
ASPHALT SOUTH, INC.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to November 9, 2015.

S226372**JOHNSON (DOSHMEN) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to November 4, 2015.

S229558

D068817 Fourth Appellate District, Div. 1

**MUNSTER (CRUZ JESUS) v.
S.C. (PEOPLE)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to October 26, 2015.

S227938

E057279 Fourth Appellate District, Div. 2

**PEOPLE v. GARCIA (ERIC
GEOVANIE)**

Counsel appointment order filed

Upon request of appellant Eric Geovanie Garcia for appointment of counsel, Stephen Lathrop is hereby appointed to represent appellant on the appeal now pending in this court.

S227938 E057279 Fourth Appellate District, Div. 2 **PEOPLE v. GARCIA (ERIC GEOVANIE)**

Counsel appointment order filed

Upon request of appellant Samuel David Navarro for appointment of counsel, J. Courtney Shevelson is hereby appointed to represent appellant on the appeal now pending in this court.

S227938 E057279 Fourth Appellate District, Div. 2 **PEOPLE v. GARCIA (ERIC GEOVANIE)**

Counsel appointment order filed

Upon request of appellant Joseph Navarro for appointment of counsel, Allen Weinberg is hereby appointed to represent appellant on the appeal now pending in this court.

S228348 B252187 Second Appellate District, Div. 4 **PEOPLE v. ADAMS (LEO LLOYD)**

Counsel appointment order filed

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

S218736 **SMITH, JR., (ROBERT LEE) ON H.C.**

Order filed

Petitioner's request for relief from default to file the reply to the informal response is granted.

S229133 **WAGNER (CLINTON F.) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Sixth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S229343 **ALLEN (DAVID) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S227749**GUILLORY ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARC ANTHONY GUILLORY, State Bar Number 214098, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. MARC ANTHONY GUILLORY is suspended from the practice of law for the first two years of probation, and he will remain suspended until 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. MARC ANTHONY GUILLORY must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on May 19, 2015; and
3. At the expiration of the period of probation, if MARC ANTHONY GUILLORY has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MARC ANTHONY GUILLORY must also take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension in this matter 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 an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

MARC ANTHONY GUILLORY 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.

S227791**VILLARREAL ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ISAURO A. VILLARREAL, State Bar Number 258345, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ISAURO A. VILLARREAL 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.

S227805**SNEATHERN ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CHARLES DENTON SNEATHERN, State Bar Number 54964, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

CHARLES DENTON SNEATHERN must make restitution to the following payees:

- (1) Leticia Vaca in the amount of \$2,500.00 plus 10 percent interest per year from March 8, 2013; and
- (2) Clara Vaca in the amount of \$2,000.00 plus 10 percent interest per year from March 8, 2013.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

CHARLES DENTON SNEATHERN 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.

S227809**ROSENBERG ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MATTHEW SCOTT ROSENBERG, State Bar Number 265201, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MATTHEW SCOTT ROSENBERG must make restitution to the following payees:

- (1) Mary Jane Seeger, on behalf of the conservatorship of John A. Myers, in the amount of \$4,000 plus 10 percent interest per year from February 15, 2012; and
- (2) The Estate of John A. Myers in the amount of \$1,414.40 plus 10 percent interest per year from April 29, 2013.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

MATTHEW SCOTT ROSENBERG 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.

S227838**CHANG ON DISCIPLINE**

Recommended discipline imposed

The court orders that JACOB DONG HUN CHANG, State Bar Number 174476, 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. JACOB DONG HUN CHANG is suspended from the practice of law for the first nine months of probation;
2. JACOB DONG HUN CHANG must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 18, 2015; and
3. At the expiration of the period of probation, if JACOB DONG HUN CHANG has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JACOB DONG HUN CHANG 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).)

JACOB DONG HUN 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. 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.

S227839**FRANTZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM MICHAEL FRANTZ, State Bar Number 153673, 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. WILLIAM MICHAEL FRANTZ 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 4, 2015; and
2. At the expiration of the period of probation, if WILLIAM MICHAEL FRANTZ has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM MICHAEL FRANTZ 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-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If WILLIAM MICHAEL FRANTZ 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.

S227840**ERWIN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DARRELL NATHAN ERWIN, State Bar Number 188308, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. DARRELL NATHAN ERWIN must make restitution to Patricia Nelson in the amount of \$36,365.77 plus 10 percent interest per year from August 11, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

DARRELL NATHAN ERWIN 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.

S227843**APO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GREGORY KWOCK CHEONG APO, State Bar Number 200288, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

GREGORY KWOCK CHEONG APO must make restitution to the following payees:

- (1) Marion Churton and Nigel Churton in the amount of \$1,920 plus 10 percent interest per year from June 4, 2012; and
- (2) Hiroaki Morise in the amount of \$2,000 plus 10 percent interest per year from April 1, 2011;

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

GREGORY KWOCK CHEONG APO 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.

S228454**LEE ON DISCIPLINE**

Recommended discipline imposed

The court orders that CHRISTIE SOO-KYUNG LEE, State Bar Number 224944, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. CHRISTIE SOO-KYUNG LEE is suspended from the practice of law for the first 90 days of probation;
2. CHRISTIE SOO-KYUNG LEE 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 2, 2015; and
3. At the expiration of the period of probation, if CHRISTIE SOO-KYUNG LEE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CHRISTIE SOO-KYUNG LEE 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).)

CHRISTIE SOO-KYUNG LEE 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.

S228456**OBERDING ON DISCIPLINE**

Recommended discipline imposed

The court orders that JULIET MONIQUE OBERDING, State Bar Number 144776, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for one year subject to the following conditions:

1. JULIET MONIQUE OBERDING is suspended from the practice of law for the first 30 days of probation;
2. JULIET MONIQUE OBERDING 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 18, 2015; and
3. At the expiration of the period of probation, if JULIET MONIQUE OBERDING has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JULIET MONIQUE OBERDING 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. One-half of the costs must be paid with her membership fees for each of the years 2016 and 2017. If JULIET MONIQUE OBERDING 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.

S229950**BESS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL JON BESS, State Bar Number 65205, as a member of the State Bar of California is accepted.

MICHAEL JON BESS must also comply with rule 9.20 of the California Rules of Court 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.

S229994**BIARES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOSELITO BANDAYREL BIARES, State Bar Number 179176, as a member of the State Bar of California is accepted.

JOSELITO BANDAYREL BIARES must also comply with rule 9.20 of the California Rules of Court 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.

S229995**FOYLE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DIANNE ELIZABETH FOYLE, State Bar Number 154135, as a member of the State Bar of California is accepted.

DIANNE ELIZABETH FOYLE must also comply with rule 9.20 of the California Rules of Court 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.

S230057**MALLERY ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of TERRY M. MALLERY, State Bar Number 88862, as a member of the State Bar of California is accepted.

TERRY M. MALLERY must also comply with rule 9.20 of the California Rules of Court 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.

S230061**HWANG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STANLEY HWANG, State Bar Number 101786, as a member of the State Bar of California is accepted.

STANLEY HWANG must also comply with rule 9.20 of the California Rules of Court 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.

S230063**MARCELL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROSEMARY ANNE MARCELL, State Bar Number 255099, as a member of the State Bar of California is accepted.

ROSEMARY ANNE MARCELL must also comply with rule 9.20 of the California Rules of Court 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.

S230065**WEISS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JASON GREGORY WEISS, State Bar Number 172319, as a member of the State Bar of California is accepted.

JASON GREGORY WEISS must also comply with rule 9.20 of the California Rules of Court 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.

S230067**EKENBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANETTA VIVIANNE EKENBERG, State Bar Number 187540, as a member of the State Bar of California is accepted.

ANETTA VIVIANNE EKENBERG must also comply with rule 9.20 of the California Rules of Court 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.