

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 15, 2015
SAN FRANCISCO, CALIFORNIA**

S174709

**PEOPLE v. SARINANA
(CATHY LYNN) &
SARINANA (RAUL
RICARDO)**

Extension of time granted

On application of appellant Cathy Lynn Sariñana and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 9, 2015.

S174709

**PEOPLE v. SARINANA
(CATHY LYNN) &
SARINANA (RAUL
RICARDO)**

Extension of time granted

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

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 9, 2015.

S185140

**PEOPLE v. HEARD (JAMES
MATTHEW)**

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 20, 2015.

S186360

**PEOPLE v. RODRIGUEZ
(ANTONIO)**

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 10, 2015.

S222996 B249253 Second Appellate District, Div. 7 **LAFFITTE (MARK) v.
ROBERT HALF
INTERNATIONAL INC.
(BRENNAN)**

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 reply brief on the merits is extended to November 12, 2015. No further extensions are contemplated.

S225131 **SINGSON (RONALD
WILLIAM) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to October 13, 2015.

S226450 F069608 Fifth Appellate District **HAMILTON (PAUL C.) v.
YATES (JAMES A.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 13, 2015.

S226538 F067956 Fifth Appellate District **DELANO FARMS COMPANY
v. CALIFORNIA TABLE
GRAPE COMMISSION**

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 October 21, 2015.

S228030 G051142 Fourth Appellate District, Div. 3 **PEOPLE v. MORALES
(JOSUE VARGAS)**

Counsel appointment order filed

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

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S226323**SIMS ON DISCIPLINE**

Recommended discipline imposed

The court orders that HERCHEL McCOY SIMS, State Bar Number 154185, 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 three years subject to the following conditions:

1. HERCHEL McCOY SIMS is suspended from the practice of law for the first 90 days of probation;
2. HERCHEL McCOY SIMS 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 March 19, 2015; and
3. At the expiration of the period of probation, if HERCHEL McCOY SIMS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

HERCHEL McCOY SIMS 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).)

HERCHEL McCOY SIMS 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 2016, 2017, and 2018. If HERCHEL McCOY SIMS 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.

S226326**SALDANA ON DISCIPLINE**

Recommended discipline imposed

The court orders that VICTOR SALDANA, State Bar Number 256119, 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. VICTOR SALDANA is suspended from the practice of law for the first 60 days of probation;
2. VICTOR SALDANA 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 March 18, 2015.; and
3. At the expiration of the period of probation, if VICTOR SALDANA has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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

S226464**THOMASON ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRUCE ANTHONY THOMASON, State Bar Number 140596, 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. BRUCE ANTHONY THOMASON is suspended from the practice of law for a minimum of 18 months 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) Billy F. Farr and Betsabe Kuri De Farr in the amount of \$4,500 plus 10 percent interest per year from May 9, 2013;
 - (2) Ivonne R. Vazquez in the amount of \$3,000 plus 10 percent interest per year from June 7, 2013;
 - (3) George Moynier in the amount of \$3,300 plus 10 percent interest per year from April 10, 2013;
 - (4) Mercedes Caamal in the amount of \$3,900 plus 10 percent interest per year from July 18, 2013;
 - (5) Sai Q. Zou in the amount of \$5,490 plus 10 percent interest per year from September 13, 2013;
 - (6) Donnie and Rosaura Madrid in the amount of \$2,750 plus 10 percent interest per year from April 29, 2013;
 - (7) Laura Brown in the amount of \$3,695 plus 10 percent interest per year from April 29, 2013;

- (8) Eileen Leary Kelly in the amount of \$1,950 plus 10 percent interest per year from July 3, 2014;
 - (9) Richard Daniel in the amount of \$3,900 plus 10 percent interest per year from July 30, 2014;
 - (10) Irene Espiritu in the amount of \$5,901 plus 10 percent interest per year from April 2, 2014;
 - (11) Lee and Julie Benson in the amount of \$6,868.75 plus 10 percent interest per year from September 24, 2013; and
 - (12) Maria Garibay and Guillermo Munoz in the amount of \$3,900 plus 10 percent interest per year from April 18, 2013.
- 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. BRUCE ANTHONY THOMASON 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 March 23, 2015.
 3. At the expiration of the period of probation, if BRUCE ANTHONY THOMASON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

BRUCE ANTHONY THOMASON 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).)

BRUCE ANTHONY THOMASON 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 2016, 2017, and 2018. If BRUCE ANTHONY THOMASON 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.

S226503**TAPIA ON DISCIPLINE**

Recommended discipline imposed

The court orders that REBECCA AMELIA TAPIA, State Bar Number 83053, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and she is placed on probation for five years subject to the following conditions:

1. REBECCA AMELIA TAPIA is suspended from the practice of law for a minimum of the first two years of probation, and she will remain suspended until the following conditions are satisfied:
 - i. REBECCA AMELIA TAPIA provides proof to the State Bar Court of her 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)); and
 - ii. REBECCA AMELIA TAPIA provides to the Office of Probation either a conformed copy of a satisfaction of judgment or proof that the judgment was vacated in *Estate of Barbara Hindry*, Los Angeles Superior Court case no. BP039801.
2. REBECCA AMELIA TAPIA 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 March 20, 2015.
3. At the expiration of the period of probation, if REBECCA AMELIA TAPIA has complied with all conditions of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

REBECCA AMELIA TAPIA must also take and pass the Multistate Professional Responsibility Examination during the period of her 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).)

REBECCA AMELIA TAPIA 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.

S226506**SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ANDREA J. SMITH, State Bar Number 277257, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

ANDREA J. 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.

S226636**CARRUTHERS ON
DISCIPLINE**

Recommended discipline imposed

The court orders that DENNIS SCOTT CARRUTHERS, State Bar Number 68745, 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. DENNIS SCOTT CARRUTHERS is suspended from the practice of law for the first 60 days of probation;
2. DENNIS SCOTT CARRUTHERS 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 March 26, 2015; and
3. At the expiration of the period of probation, if DENNIS SCOTT CARRUTHERS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DENNIS SCOTT CARRUTHERS 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 his membership fees for each of the years 2016 and 2017. If DENNIS SCOTT CARRUTHERS 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.

S226834**McDONALD ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that NANCY KAY McDONALD, State Bar Number 146168, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

NANCY KAY McDONALD must make restitution to Gerald Goodbody in the amount of \$1,600 plus 10 percent interest per year from August 22, 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).

NANCY KAY McDONALD 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.

S226871**JANIAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that ARMEN JANIAN, State Bar Number 102747, 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. ARMEN JANIAN is suspended from the practice of law for the first three months of probation;
2. ARMEN JANIAN 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 April 8, 2015; and
3. At the expiration of the period of probation, if ARMEN JANIAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ARMEN JANIAN 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-half of the costs must be paid with his membership fees for each of the years 2016 and 2017. If ARMEN JANIAN 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.

S226881**LIN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that TIM CHIH TING LIN, State Bar Number 263885, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

TIM CHIH TING LIN 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.

S226924**POST ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BARRY JAY POST, State Bar Number 72286, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BARRY JAY POST 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.

S226927**McKINNEY ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM LAWRENCE McKINNEY, State Bar Number 66803, 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. WILLIAM LAWRENCE McKINNEY is suspended from the practice of law for the first 90 days of probation;
2. WILLIAM LAWRENCE McKINNEY 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 March 20, 2015; and
3. At the expiration of the period of probation, if WILLIAM LAWRENCE McKINNEY has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM LAWRENCE McKINNEY 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).)

WILLIAM LAWRENCE McKINNEY 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-half of the costs must be paid with his membership fees for each of the years 2016 and 2017. If WILLIAM LAWRENCE McKINNEY 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.