

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 26, 2018
SAN FRANCISCO, CALIFORNIA
AMENDED***

S249923 B272170 Second Appellate District, Div. 3 **ROCKEFELLER
TECHNOLOGY
INVESTMENTS (ASIA) VII v.
CHANGZHOU SINOTYPE
TECHNOLOGY CO., LTD.**

Petition for review granted; issues limited

The petition for review is granted. The parties are to brief and argue the following issue: Can private parties contractually agree to legal service of process by methods not expressly authorized by the Hague Convention?

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

S250149 A151224 First Appellate District, Div. 5 **SKIDGEL (TAMARA) v.
CALIFORNIA
UNEMPLOYMENT
INSURANCE APPEALS
BOARD**

Petition for review granted

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

S140894 **PEOPLE v. MIRACLE
(JOSHUA MARTIN)**

Supplemental briefing ordered

The court requests that the parties serve and file supplemental briefs addressing the following question: Assuming that the term “counsel” in the second sentence of Penal Code section 1018 does not encompass advisory counsel, does the statute violate the Sixth Amendment to the United States Constitution (see *McCoy v. Louisiana* (2018) 584 U.S. __ [138 S. Ct. 1500]; *Faretta v. California* (1975) 422 U.S. 806) in light of the Eighth Amendment’s requirement of reliability in death judgments (see *Woodson v. North Carolina* (1976) 428 U.S. 280; *Beck v. Alabama* (1980) 447 U.S. 625; *People v. Bloom* (1989) 48 Cal.3d 1194, 1228)?

All initial briefs addressing the above question must be served and filed on or before October 3, 2018. Any reply to the supplemental briefs must be served and filed on or before October 9, 2018. Amici curiae may also file supplemental briefs addressing the above question on or before October 12, 2018.

S250770 D073256 Fourth Appellate District, Div. 1 **IN RE ANTHONY A.**
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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S249971 A146433 First Appellate District, Div. 5 **PEOPLE v. WASHINGTON**
(ISAIAH N.)

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

Tiara Arnold's motion to file a supplemental letter and petition for review are granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *People v. Superior Court (Lara)* (2018) 4 Cal.5th 299. (Cal. Rules of Court, rule 8.528(d).)

Isaiah Washington's petition for review is denied.

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

S233172 C078492 Third Appellate District **PEOPLE v. TRIPLETT**
(CHRISTOPHER DAVID)

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S233815 C078083 Third Appellate District **PEOPLE v. McPHERSON**
(MICHAEL ROBERT)

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S234766 E063256 Fourth Appellate District, Div. 2 **PEOPLE v. GLEASON
(CHRISTOPHER NEIL)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S235773 B263849 Second Appellate District, Div. 6 **PEOPLE v. ACOSTA (JUAN
GABRIEL)**

Transferred to Court of Appeal, Second Appellate District, Division Six, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S236270 F071926 Fifth Appellate District **PEOPLE v. BRISTOW
(DUSTIN CLAY)**

Dismissed and remanded to Court of Appeal, Fifth Appellate District

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S236295 B261140 Second Appellate District, Div. 4 **PEOPLE v. SMITH (CHRIS
LAMAR)**

Transferred to Court of Appeal, Second Appellate District, Division Four, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S236866 F071948 Fifth Appellate District **PEOPLE v. ROCHELEAU,
JR., (ROBERT ANTHONY)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5

Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S236926 B265318 Second Appellate District, Div. 6 **PEOPLE v. KIRSCH
(NICHOLAS)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Six

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5

Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S237307 G050926 Fourth Appellate District, Div. 3 **PEOPLE v. QUIRINO
(RICHARD ANTHONY)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold

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

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

S237778 G051739 Fourth Appellate District, Div. 3 **PEOPLE v. ISAIA (SIERRA)**
Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Three

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5

Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S237810 F070212 Fifth Appellate District **PEOPLE v. WELLS (JAMES
CARTER)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857 and *People v. Gallardo* (2017) 4 Cal.5th 170. (Cal. Rules of Court, rule 8.528(d).)

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

S238608 E064445 Fourth Appellate District, Div. 2 **PEOPLE v. PENILLA
(ANTONIO)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S239006 B268821 Second Appellate District, Div. 6 **PEOPLE v. WALLACE
(JAMES FLOYD)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Six

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S239094 B265543 Second Appellate District, Div. 7 **PEOPLE v. RAMOS (CESAR)**
Dismissed and remanded to Court of Appeal, Second Appellate District, Division Seven

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S239635 E064243 Fourth Appellate District, Div. 2 **PEOPLE v. EVANS (JOHN
WILLIAM)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S239693 H043055 Sixth Appellate District **PEOPLE v. INATOWITZ
(ANDREAS MARVIN)**

Transferred to Court of Appeal, Sixth Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S240509 F071140 Fifth Appellate District **PEOPLE v. JOHNSON
(STEVEN JAY)**

Dismissed and remanded to Court of Appeal, Fifth Appellate District

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S240888 B269048 Second Appellate District, Div. 4 **DIAZ (ROBERT MARK) ON H.C.**

Transferred to Court of Appeal, Second Appellate District, Division Four, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S241034 E065540 Fourth Appellate District, Div. 2 **PEOPLE v. SALAZAR (JOSE VALLE)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S241834 C080231 Third Appellate District **PEOPLE v. IBARRA (LIDIA)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S243109 B265537 Second Appellate District, Div. 7 **PEOPLE v. DAVIS (STEVEN ERIC)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Seven

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S244612 C079957 Third Appellate District

**PEOPLE v. BAMFORD (BUB
TAHCHAH LAH)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S244616 F071016 Fifth Appellate District

**PEOPLE v. HICKS
(VERNELLE RAYMOND)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S245217 A147345 First Appellate District, Div. 2

**PEOPLE v. TRIMBLE (JASON
ARTHUR)**

Transferred to Court of Appeal, First Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(d).)

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

S245701 E066353 Fourth Appellate District, Div. 2

**PEOPLE v. VICARIO
(RUDOLPH VALDEZ)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in this matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 5 Cal.5th 857. (Cal. Rules of Court, rule 8.528(b).)

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

S245867 G053749 Fourth Appellate District, Div. 3

**TRAVELER'S PROPERTY
CASUALTY COMPANY OF
AMERICA v. ACTAVIS, INC.**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Three

Review in the above-captioned matter, which was granted and held for *Liberty Surplus Insurance Corp. v. Ledesma and Meyer Construction Co.* (2018) 5 Cal.5th 216, is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan, J., was recused and did not participate.

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

S151222

**LETNER (RICHARD LACY)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

This petition for writ of habeas corpus was filed in this court on March 26, 2007, before the effective date of Proposition 66, the “Death Penalty Reform and Savings Act of 2016.” (See *Briggs v. Brown* (2017) 3 Cal.5th 808, 862, reh’g. den. Oct. 25, 2017.) Under section 1509, subdivision (g) of the Penal Code, the court exercises its authority to retain this petition and decide it.

The petition is denied. All claims are denied on the merits.

Except to the extent it alleges ineffective assistance of counsel, Claim 3 is barred under *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent it was raised and rejected on appeal.

Except to the extent they allege ineffective assistance of counsel, Claims 3, 4, 5, and 6, are barred under *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent they could have been, but were not, raised on appeal.

Except to the extent it alleges ineffective assistance of counsel, Claim 10 is barred under *In re Seaton* (2004) 34 Cal.4th 193, 198-200, to the extent it could have been, but was not, raised in the trial court.

S151243

**TOBIN (CHRISTOPHER
ALLAN) ON H.C.**

Petition for writ of habeas corpus denied (AA)

This petition for writ of habeas corpus was filed in this court on March 26, 2007, before the effective date of Proposition 66, the “Death Penalty Reform and Savings Act of 2016.” (See *Briggs v. Brown* (2017) 3 Cal.5th 808, 862, reh’g. den. Oct. 25, 2017.) Under section 1509, subdivision (g) of the Penal Code, the court exercises its authority to retain this petition and decide it.

The petition is denied. All claims are denied on the merits.

Except to the extent they allege ineffective assistance of counsel, Claims B and C are barred under *In re Waltreus* (1965) 62 Cal.2d 218, 225, to the extent they were raised and rejected on appeal.

Except to the extent they allege ineffective assistance of counsel, Claims B and H are barred under *In re Dixon* (1953) 41 Cal.2d 756, 759, to the extent they could have been, but were not, raised on appeal.

S249543	B278576 Second Appellate District, Div. 8	PEOPLE v. ARELLANO (JESSIE EMILIO)
Petitions for review denied		
S249694	B264626 Second Appellate District, Div. 3	PEOPLE v. SANFORD (ERICA YVONNE)
Petitions for review denied		
S249906	A154102 First Appellate District, Div. 4	G. (Y.) ON H.C.
Petition for review denied		
S249908	C078823 Third Appellate District	PEOPLE v. RUMRILL (MICHAEL ALAN)
Petition for review denied		
S249943	B281662 Second Appellate District, Div. 4	PEOPLE v. WILLIAMS (LAMONT)
Petition for review denied		
S249980	B270903 Second Appellate District, Div. 6	PEOPLE v. ALMANZA (CHRISTIAN)
Petition for review denied		
S250091	B280057 Second Appellate District, Div. 8	PEOPLE v. GRANT (MARCUS DELL)
Petition for review denied		
S250098	A147186 First Appellate District, Div. 5	PEOPLE v. HUDSON (KHALIF)
Petitions for review denied		
S250103	F071937 Fifth Appellate District	PEOPLE v. WILKERSON (CONRAD GLENN)
Petition for review denied		

S250110	A154441 First Appellate District, Div. 5	L. (V.) v. S.C. (PEOPLE)
Petition for review denied		
S250121	B283925 Second Appellate District, Div. 5	PEOPLE v. CRUZ (HUGO M.)
Petition for review denied		
S250126	H042397 Sixth Appellate District	PEOPLE v. SOTO (FIDEL RIOS)
Petition for review denied		
S250139	B280096 Second Appellate District, Div. 5	PEOPLE v. ANDRADE (EMANUEL RODRIGUEZ)
Petition for review denied		
S250144	E066263 Fourth Appellate District, Div. 2	PEOPLE v. CARRUTHERS (LAWRENCE JOHN)
Petition for review denied		
S250184	B289651 Second Appellate District, Div. 1	FRANCO (ALLIOTT) v. S.C. (PEOPLE)
Petition for review denied		
S250250	B290298 Second Appellate District, Div. 5	KS INDUSTRIES, LP v. WORKERS' COMPENSATION APPEALS BOARD & BROCK (HUEY)
Petition for review denied		
S250298	D073707 Fourth Appellate District, Div. 1	PEOPLE v. LUVERT (NIKUN)
Petition for review denied		
S250328	B283847 Second Appellate District, Div. 6	W. (D.), ADOPTION OF
Petition for review denied		

S250382 G056508 Fourth Appellate District, Div. 3 **PEOPLE v. S.C. (ANDRADE)**
Petition for review denied

S250399 G054568 Fourth Appellate District, Div. 3 **GAVIN (LILLIAN) v. TRUE**
(FRANKLIN)
Petition for review denied

S250423 **PEOPLE v. HARMON**
(DEVIN)
Petition for writ of error coram vobis denied

The “petition for writ of error pursuant to federal law 18 U.S. Code § 4 misprision of felony” is denied.

S250430 D072982 Fourth Appellate District, Div. 1 **PEOPLE v. SCHAEFFER**
(BRANDY B.)
Petition for review denied

S250473 A152136/A152648 First Appellate District, Div. 4 **IN RE Y.G.**
Petition for review denied

S250494 G055667 Fourth Appellate District, Div. 3 **IN RE LUCAS N.**
Petition for review denied

S250510 E067151 Fourth Appellate District, Div. 2 **YOUNG (KELE) v.**
CALIFORNIA FISH & GAME
COMMISSION
Petition for review & depublication request(s) denied

S250511 H045996 Sixth Appellate District **PEOPLE v. BRALEY**
(THOMAS D.)
Petition for review denied

S250565 F074693 Fifth Appellate District **CITIZENS AGAINST THE**
24TH STREET WIDENING
PROJECT v. CITY OF

**BAKERSFIELD
(CALIFORNIA
DEPARTMENT OF
TRANSPORTATION)**

Petition for review denied

S250567 B290522 Second Appellate District, Div. 1

Petition for review denied

**PARDO (JOHNNY RAMIREZ)
ON H.C.**

S250568 B288750 Second Appellate District, Div. 2
Petition for review denied

HILL (BRIAN T.) ON H.C.

S250570 D074319 Fourth Appellate District, Div. 1
Petition for review denied

McCLOUD (WILLIE) ON H.C.

S250572 C081590 Third Appellate District
Petition for review denied

**PEOPLE v. BARRERA
(MARCO)**

S250597 B289965 Second Appellate District, Div. 3

Petition for review denied

**HARLOW (ROBERT) v.
WORKERS'
COMPENSATION APPEALS
BOARD; STEINY &
COMPANY**

S250608 A147991 First Appellate District, Div. 2
Petition for review denied

**POWERS (DEBORAH) v.
McCANDLESS (TIMOTHY)**

S250616 C081957 Third Appellate District
Petition for review denied

**FISHER (RICHARD PAUL) v.
STATE PERSONNEL BOARD**

S250617 A152025 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. REED, JR.,
(FRANKLIN WAYNE)**

S250620 B281480 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MARTINEZ
(CUAUHTEMOC)**

S250623

Petition for review denied

MAHDESSIAN (RITA), IN RE

The petition for a writ of review filed by the State Bar is denied.

The matter is remanded to the State Bar Court to consider whether dismissal without prejudice would be proper.

S250627 F076453 Fifth Appellate District

Petition for review denied

PEOPLE v. HALL (DAUNTE)

S250655 C085395 Third Appellate District

Petition for review denied

IN RE B.E.

S250662 B291325 Second Appellate District, Div. 1

Petition for review & application for stay denied

**C. (ADOLFO) v. S.C.
(PEOPLE)**

S250663 B291335 Second Appellate District, Div. 5

Petition for review denied

**MARTINEZ (DUNCAN) ON
H.C.**

S250680 B284368 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. LEYVA (REUBEN
JONATHAN)**

S250683 C083650 Third Appellate District

Petition for review denied

**PEOPLE v. DELAP
(CLINTON ADAM)**

S250688	B279657 Second Appellate District, Div. 8	SMS FINANCIAL, LA, LLC v. KURGAN (MICHAEL J.)
Petition for review denied		
S250689	B286261 Second Appellate District, Div. 6	PEOPLE v. VASQUEZRIVERA (FLORO)
Petition for review denied		
S250696	E066947 Fourth Appellate District, Div. 2	PEOPLE v. PARK (SOON)
Petition for review denied		
S250699	B285720 Second Appellate District, Div. 6	PEOPLE v. WILLIAMS (BRIAND)
Petition for review denied		
S250703	D072089 Fourth Appellate District, Div. 1	PEOPLE v. AVILA (GEORGE)
Petition for review denied		
S250705	H043671 Sixth Appellate District	PEOPLE v. TORRES (MARIO)
Petition for review denied		
S250708	G056625 Fourth Appellate District, Div. 3	PEOPLE v. RUSSO (VINCENT F.)
Petition for review denied		
S250709	G053812 Fourth Appellate District, Div. 3	PEOPLE v. AZADGILANI (BABAK)
Petition for review denied		
S250717	B282482 Second Appellate District, Div. 8	PEOPLE v. GOMEZ (JUVENITO)
Petition for review denied		

S250719	E070641 Fourth Appellate District, Div. 2	FLANARY (TROY LYN) ON H.C.
Petition for review denied		
S250726	B268541 Second Appellate District, Div. 4	KLEIDMAN (PETER) v. RFF FAMILY PARTNERSHIP, L.P.
Petition for review denied		
S250727	D071907 Fourth Appellate District, Div. 1	CITIZENS OVERSIGHT, INC. v. VU (MICHAEL)
Petition for review denied		
S250735	D072378 Fourth Appellate District, Div. 1	MORALES (JOSE LUIS) v. 22nd DISTRICT AGRICULTURAL ASSOCIATION
Petition for review denied		
S250742	B280588 Second Appellate District, Div. 5	MADISON (KYLE) v. SPIELFOGEL (DANIEL J.)
Petition for review denied		
S250744	C084769 Third Appellate District	PEOPLE v. BRINDOS-WATTERS (NATALIE LYNN)
Petition for review denied		
S250750	E065702 Fourth Appellate District, Div. 2	MARKS (MARLO), ESTATE OF
Petition for review denied		
S250757	H044812 Sixth Appellate District	IN RE C.G.
Petition for review denied		
S250759	A150468 First Appellate District, Div. 4	PEOPLE v. SCHOTTE (PETER DAVID)
Petition for review denied		

S250766 C078301 Third Appellate District

Petition for review denied

**PEOPLE v. MacCALLUM
(PATRICIA)**

S250768 A151471 First Appellate District, Div. 5
Petition for review denied

PEOPLE v. AMONI (AHMAD)

S250780 F074197 Fifth Appellate District

Petition for review denied

**PEOPLE v. CERVANTES
(LORENZO)**

S250783 G056519 Fourth Appellate District, Div. 3

Petition for review denied

**GOULD (STEVEN ERIC) ON
H.C.**

S250784 D072247 Fourth Appellate District, Div. 1

Petition for review denied

**JET SOURCE CHARTER,
INC. v. DOHERTY (BRIAN J.)**

S250785 G053546 Fourth Appellate District, Div. 3

Petition for review denied

**FROESCH (NADINE) v.
CHAMBI (ISRAEL P.)**

S250786 A149474 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. CHATMAN III
(CHARLES)**

S250787 D071014 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MARTINEZ
(ABEL ANGEL)**

S250791 B279215 Second Appellate District, Div. 8

Petition for review denied

**UNITED GRAND
CORPORATION v. STOLLOF
(MARCIE)**

S250809 A146729 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SMOCK
(JEFFREY DANIEL)**

S250814 B282929 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GANT (IVAN
DEVON)**

S250817

Petition for review denied

**SPENGLER (MICHAEL R.) v.
LOS ANGELES SHERIFF
DEPARTMENT**

S250818 E068491 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HERNANDEZ
(HERMANDO ANTONIO
VEGA)**

S250834

Petition for writ of mandate/prohibition denied

**ASSELIN-NORMAND
(JONATHAN) v. COURT OF
APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION ONE
(COLUMBIANA 619
INVESTMENTS, LLC)**

S250837 B277946 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HART (ANTHONY
EDWARD)**

S250996 E071095 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

C. (O.) v. S.C. (PEOPLE)

S251026 F077648 Fifth Appellate District

Petition for review denied

**YOUNG (CLARENCE) ON
H.C.**

S251076 F047059 Fifth Appellate District

Petition for writ of mandate/prohibition denied

**INMAN (RONALD JERRELL)
v. COURT OF APPEAL,
FIFTH APPELLATE
DISTRICT (CALIFORNIA
DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

S251133 D072068 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ARTEAGA
(JAIME)**

S251187 G056712 Fourth Appellate District, Div. 3

Petition for review denied

**GOULD (STEVEN ERIC) ON
H.C.**

S251208 G056331 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**KHALIQ (SHAHNILA) v.
SHAW (ASLAM)**

S251294

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

**HUNTER EL (REGINA
MICHELLE) v. STATE BAR
OF CALIFORNIA
(COMMITTEE OF BAR
EXAMINERS)**

S245006

Petition for writ of habeas corpus denied

**MAGANA (MARTIN
MARTINEZ) ON H.C.**

S247294

Petition for writ of habeas corpus denied

GOMEZ (ELROY) ON H.C.

S248022

**TUCKER (GERALD LEE) 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].)

S248170**BLACKMON (MARCUS LEE)
ON H.C.**

Petition for writ of habeas corpus denied

S248473**RIVERS (ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S248591**MITCHELL (AARON J.) ON
H.C.**

Petition for writ of habeas corpus denied

S248630**SOBARZO (RICKY) ON H.C.**

Petition for writ of habeas corpus denied

S248633**HENDERSON (DARYL D.) ON
H.C.**

Petition for writ of habeas corpus denied

S248634**ROBERTSON (ROGER
WAYNE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S249004**BIBBS II (CARL E.) ON H.C.**

Petition for writ of habeas corpus denied

S249008**HOLLMAN (FREDDIE) ON
H.C.**

Petition for writ of habeas corpus denied

S249009**ORNELAS (DAVID
MARTINEZ) ON H.C.**

Petition for writ of habeas corpus denied

S249013**PRINCE (JASON) ON H.C.**

Petition for writ of habeas corpus denied

S249014**SAENZ (ROBERT G.) ON H.C.**

Petition for writ of habeas corpus denied

S249015**WARD, JR., (CHARLES) 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].)

S249017**WILLIAMS (JEREMIAH) ON
H.C.**

Petition for writ of habeas corpus denied

S249018**HERRERA (JOSHUA) ON
H.C.**

Petition for writ of habeas corpus denied

S249021**BARTH (SHAWN DAMON)
ON H.C.**

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

S249038**CHILDRESS (JOEL V.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Dixon* (1953) 41 Cal.2d

756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S249065

**KAPALA (SHAWN WESLEY)
ON H.C.**

Petition for writ of habeas corpus denied

S249071

**CANDLER (KEITH W.) ON
H.C.**

Petition for writ of habeas corpus denied

S249073

**GALLOWAY (EDDIE LEE)
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].)

S249076

**WILLIAMS (DETRAIL) ON
H.C.**

Petition for writ of habeas corpus denied

S249249

KING (ALONZO D.) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S249269

**RAYFORD (REGINALD
LAMARR) ON H.C.**

Petition for writ of habeas corpus denied

S249280

GOMEZ (OSMAN) 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].)

S249283**ZHANG (JEFF B.) ON H.C.**

Petition for writ of habeas corpus denied

S249285**HERNANDEZ (CARLOS M.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S249288**RAMIREZ (ADAM S.) ON
H.C.**

Petition for writ of habeas corpus denied

S249289**ORTIZ, JR., (GREGORIO) ON
H.C.**

Petition for writ of habeas corpus denied

S250863**REED, JR., (FRANKLIN
WAYNE) ON H.C.**

Petition for writ of habeas corpus denied
The request for judicial notice is granted.

S250900**HUMES (JON) ON H.C.**

Petition for writ of habeas corpus denied

S250902**HUMES (JON) 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]; *People v. Villa* (2009) 45 Cal.4th 1063, 1066 [habeas corpus relief is unavailable where the petitioner is not in the custody of California authorities as a result of the challenged conviction].)

S251144**HUMES (JON) 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]; *People v. Villa* (2009) 45 Cal.4th 1063, 1066 [habeas corpus relief is unavailable where the petitioner is not in the custody of California authorities as a result of the challenged conviction].)

S251180**HUMES (JON) ON H.C.**

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

S250090

G054434 Fourth Appellate District, Div. 3

**ROE (BOYD ALLYN) v. CITY
OF FOUNTAIN VALLEY**

Publication requests denied (case closed)

S250123

B272373 Second Appellate District, Div. 4

**VENICE STAKEHOLDERS
ASSOCIATION v. CITY OF
LOS ANGELES**

Publication request denied (case closed)

S250130

D069188 Fourth Appellate District, Div. 1

**DISPATCH & TRACKING
SOLUTIONS, LLC v. ORION
COMMUNICATIONS, INC.
(SAMEIS HOLDINGS, LLC)**

Publication request denied (case closed)

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

S250252

A145508 First Appellate District, Div. 2

**SKAAR (MICHAEL J.) v.
LACEY (THOMAS
CLEMENTS)**

Publication request denied (case closed)

S250271

B282548 Second Appellate District, Div. 1

**PATEL (BHIKABHAI) v.
VAGHASHIA (GOVIND)**

Publication request denied (case closed)

S250634

B286259 Second Appellate District, Div. 5

**SMITH (LINCOLN TESTRO)
v. S.C. (PEOPLE)**

Publication request denied (case closed)

S166737**PEOPLE v. FLORES (RALPH STEVEN)**

Extension of time granted

Based upon counsel John L. Dodd's representation that the appellant's reply brief is anticipated to be filed by August 7, 2019, an extension of time in which to file that brief is granted to December 5, 2018. After that date, only four further extensions totaling about 244 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).)

S207510**PEOPLE v. BARBAR (MICHAEL)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to December 3, 2018.

S243805**FRLEKIN (AMANDA) v. APPLE, INC.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the response to the amicus curiae briefs is extended to October 9, 2018.

S250411

C085370 Third Appellate District

PEOPLE v. AZOFEIFA (BRANDON RAY)

Counsel appointment order filed

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

S195973**BIVERT (KENNETH RAY) ON H.C.**

Motion to file document under seal granted

Petitioner's "Application to File Under Seal the Reply and Exhibits in Support of Reply to the Informal Response to the Amended Petition for Writ of Habeas Corpus," filed on July 18, 2018, is granted. The Clerk is directed to file under seal the unredacted version of the reply, lodged conditionally under seal on July 18, 2018, and to file under seal the unredacted version of the

exhibits to the reply, lodged conditionally under seal on July 27, 2018. The Clerk is further directed to publicly file the redacted versions of the reply and exhibits to the reply, lodged with the court on July 27, 2018.

S251145**MULLINS (EDWARD JULIUS
TAIKWAN) v. CALIFORNIA
DEPARTMENT OF
CORRECTIONS &
REHABILITATION
(PFEIFFER)**

Transferred to Court of Appeal, Second Appellate District

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

S250409**ACCUSATION OF PEREZ**

Petition denied

(accusation)

S249598**STOLLER ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied.

The court orders that MICHAEL THOMAS STOLLER, State Bar Number 120241, 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. MICHAEL THOMAS STOLLER is suspended from the practice of law for the first six months of probation, and will remain suspended until the following requirements are satisfied:
 - i. He pays the \$3,000 in sanctions ordered on August 8, 2016, by the Los Angeles County Superior Court in *Make It Nice, LLC v. Mara Manos*, case No. 16B0019, and provides satisfactory proof to the State Bar's Office of Probation in Los Angeles that he has paid the sanctions; 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 present 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. MICHAEL THOMAS STOLLER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 11, 2018; and
3. At the expiration of the period of probation, if MICHAEL THOMAS STOLLER has

complied with all conditions of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

MICHAEL THOMAS STOLLER 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 actual 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).)

MICHAEL THOMAS STOLLER 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.

S250856

EVERETT (DANIEL), IN RE

Request for rehearing of State Bar discipline denied

The petition for reconsideration and application for stay are denied.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,385)**

The written motion 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 to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

S249612

**DREW (DAVID BRIAN)
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