



COURT OF APPEAL
FIFTH APPELLATE DISTRICT

ORAL ARGUMENT CALENDAR

January 12, 19, 25 & 27, 2022

Brad R. Hill, Presiding Justice

Herbert I. Levy, Associate Justice

Charles S. Poochigian, Associate Justice

Jennifer R.S. Detjen, Associate Justice

Donald Franson, Associate Justice

Rosendo Peña, Jr., Associate Justice

M. Bruce Smith, Associate Justice

Kathleen A. Meehan, Associate Justice

Mark W. Snauffer, Associate Justice

Thomas DeSantos, Associate Justice

WEDNESDAY, JANUARY 12, 2022 at 09:00 AM

Panel: Detjen, J., Peña, Jr., R., DeSantos, T.

F082670 - No. 37 - Kern Co No. BCV-15-100587

MARY ABLES, Plaintiff and Appellant, v.	George Fogy Appearing by Videoconference	30 Mins
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A. GHAZALE BROTHERS, INC. et al., Defendants and Respondents.	Michael Park Appearing by Videoconference	10
	Diane Coderniz & Deborah Coe Appearing by Videoconference	15

Panel: Franson, Jr., D., Smith, M., Snauffer, M.

F083104 - No. 3 - Fresno Co No. 21CECG00440

J&A MASH & BARREL, LLC, Petitioner, v.	Kimberly Mayhew Appearing by Videoconference	30 Mins
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THE SUPERIOR COURT OF FRESNO COUNTY,
Respondent;

TOWER THEATER PROPERTIES, INC., Real Party in Interest.	C. Fredrick Meine III Appearing by Videoconference	30
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WEDNESDAY, JANUARY 12, 2022 at 01:30 PM

Panel: Detjen, J., Meehan, K., DeSantos, T.

F083544 - No. 44 - Merced No. 21JP-00007-A

E.P.,

Petitioner,

v.

THE SUPERIOR COURT OF MERCED COUNTY,

Respondent;

MERCED CO. HUMAN SERVICES AGENCY,

Real Party in Interest.

E. P. (In Pro Per)

Appearing by Videoconference

10 Mins

Jennifer Trimble (Deputy Co Counsel) 20

Appearing by Videoconference

Panel: Detjen, J., Meehan, K., DeSantos, T.

F083545 - No. 45 - Merced No. 21JP-00007-A

S.P.,

Petitioner,

v.

THE SUPERIOR COURT OF MERCED COUNTY,

Respondent;

MERCED CO. HUMAN SERVICES AGENCY,

Real Party in Interest.

S. P. (In Pro Per)

Appearing by Videoconference

20 Mins

Jennifer Trimble (Deputy Co Counsel) 20

Appearing by Videoconference

WEDNESDAY, JANUARY 19, 2022 at 09:00 AM

Panel: Detjen, J., Snauffer, M., DeSantos, T.

F082798 - No. 15 - Merced Co No. 146207

CIRO CAMACHO,
Petitioner,
v.

Douglas Foster
Appearing by Videoconference

15 Mins

THE SUPERIOR COURT OF MERCED COUNTY,
Respondent;

THE PEOPLE,
Real Party in Interest.

Sally Espinoza (Deputy AG)
Appearing by Videoconference

15

Panel: Detjen, J., Snauffer, M., DeSantos, T.

F079770 - No. 17 – Kern Co No. BF169096A

THE PEOPLE,
Plaintiff and Respondent,
v.

Darren Indermill (Deputy AG)
Appearing by Videoconference

15 Mins

LAMONTE SHERMALE BANNER,
Defendant and Appellant.

Aaron Schechter
Appearing by Videoconference

15

CON/F081144

In Re LAMONTE SHERMALE BANNER,
On Habeas Corpus.

Consolidated Case Not Entitled to Argument

Panel: Detjen, J., Snauffer, M., DeSantos, T.

F079472 - No. 18 – Kern Co No. BF167379A

THE PEOPLE,
Plaintiff and Respondent,
v.

William Kim (Deputy AG)
Appearing by Videoconference

15 Mins

ARTURO ALDO GONZALEZ,
Defendant and Appellant.

Richard Doctoroff
Appearing by Videoconference

15

TUESDAY, JANUARY 25, 2022 at 09:00 AM

Panel: Smith, M., Snauffer, M., DeSantos, T.

F079038 - No. 20 - Madera Co No. MCV072774

ANITA ROSS,

Plaintiff and Appellant,

v.

COUNTY OF MADERA,

Defendant and Appellant.

Caleb Liang

Appearing by Videoconference

30 Mins

Ian Wieland

Appearing by Videoconference

30

TUESDAY, JANUARY 25, 2022 at 01:30 PM

Panel: Franson, Jr., D., Peña, Jr., R., Smith, M.

F081185 - No. 6 - Fresno Co No. 19CECG01554

SYLVIA ZEPEDA-LARA, Plaintiff and Appellant, v. COUNTY OF FRESNO, Respondent.	Sylvia Zepeda-Lara Appearing by Videoconference	20 Mins
	Scott Hawkins (Dep Co Counsel) Appearing by Videoconference	15

Panel: Franson, Jr., D., Peña, Jr., R., Smith, M.

F080711 - No. 35 - Merced Co No. 18CV-04981

SAMUEL JOSEPH, Plaintiff and Appellant, v. CITY OF ATWATER, Defendant and Respondent.	Michael Rains Appearing by Videoconference	20 Mins
	Erin Dervin Appearing by Videoconference	15

Panel: Franson, Jr., D., Peña, Jr., R., Smith, M.

F081172 - No. 12 - No. 46 ALRB NO. 2

WONDERFUL ORCHARDS LLC, Petitioner, v. AGRICULTURAL LABOR RELATIONS BOARD, Respondent; IMELDA VASQUEZ-LOZANO, Real Party in Interest.	Ronald Barsamian Appearing by Videoconference	30 Mins
	Scott Inciardi Appearing by Videoconference	30
		Waived

Panel: Franson, Jr., D., Peña, Jr., R., Smith, M.

F080109 - No. 2 - Fresno Co No. 18CECG01184

TERENCE O'CONNOR, JR., Plaintiff and Appellant, v. FRESNO COMMUNITY HOSPITAL AND MEDICAL CENTER et al., Defendants and Respondents.	Thornton Davidson Appearing by Videoconference	30 Mins
	Andrea Russi Appearing by Videoconference	15
	Danny Barak Appearing by Videoconference	15

THURSDAY, JANUARY 27, 2022 at 09:00 AM

Panel: Levy, H., Poochigian, C., Meehan, K.

F080105 - No. 21 - Kern Co No. BCV-17-102250

CHRISTOPHER CARTER, Plaintiff, Cross-defendant and Appellant, v.	Christopher Carter	Waived
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HOMESTREET BANK et al., Defendants and Respondents;	Benjamin Thomas Nicholson Appearing by Videoconference	20 Mins
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STEVE GRIFFIN, Defendant, Cross-complainant and Respondent.		Waived
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Panel: Levy, H., Poochigian, C., Meehan, K.

F080824 - No. 22 - Kern Co No. MF013419A

THE PEOPLE, Plaintiff and Respondent, v.	William Kim (Deputy AG) Appearing by Videoconference	15 Mins
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JAMES CLINTON DAVIES, Defendant and Appellant.	Charles Bonneau Appearing by Videoconference	15
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Panel: Levy, H., Poochigian, C., Meehan, K.

F082783 - No. 31 - Fresno Co No. F20907717

MATTHEW JAMES DE LA CERDA, Petitioner, v.	Rick Horowitz Appearing by Videoconference	15 Mins
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THE SUPERIOR COURT OF FRESNO COUNTY,
Respondent;

THE PEOPLE, Real Party in Interest.	Julie Hokans (Deputy AG) Appearing by Videoconference	15
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THURSDAY, JANUARY 27, 2022 at 01:30 PM

Panel: Hill, B., Levy, H., Detjen, J.

F079897 - No. 36 - Kings Co No. 16-C-0302

CURTIS C. INGRAM,

Plaintiff and Appellant,

v.

CALIFORNIA CORRECTIONAL

HEALTH CARE SERVICES et al.,

Defendants and Respondents.

Curtis C. Ingram (In Pro Per)

In Custody and Appearing by CourtCall

15 Mins

Oliver Wu (Deputy AG)

Appearing by Videoconference

15

Panel: Hill, B., Franson, Jr., D., Peña, Jr., R.

F080863 - No. 5 - Merced Co No. 16CV-03290

DANIEL NUSBAUM et al.,

Plaintiffs and Appellants,

v.

CENTRAL VALLEY CONCRETE, INC.,

Defendant and Respondent.

Matthew Haffner

Appearing by Videoconference

10 Mins

Steven Renick

Appearing by Videoconference

15

Panel: Hill, B., Franson, Jr., D., Peña, Jr., R.

F079993 - No. 4 - Fresno Co No. 19CECG00957

EMINENCE HEALTHCARE, INC. et al.,

Plaintiffs and Respondents,

v.

CENTURI HEALTH VENTURES, LLC et al.,

Defendants and Appellants.

Timothy Thompson

Appearing by Videoconference

15 Mins

Krista Enns

Appearing by Videoconference

15

Panel: Hill, B., Poochigian, C., Detjen, J.

F081607 - No. 38 - Kern Co No. BF116603A

THE PEOPLE,

Plaintiff and Respondent,

v.

JOHNTE ALLEN,

Defendant and Appellant.

William Kim (Deputy AG)

Appearing by Videoconference

15 Mins

Rebecca Jones

Appearing by Videoconference

15

Panel: Levy, H., Poochigian, C., Peña, Jr., R.

F081840 - No. 39 Tulare No. VFL279290

In re the Marriage of BARAONA.

LETTICIA BARAONA,

Appellant,

v.

ALEXANDER BARAONA,

Respondent.

Curtis Daugherty

Appearing by Videoconference

15 Mins

Todd Baxter

Appearing by Videoconference

10