

**SUPREME COURT MINUTES  
MONDAY, APRIL 17, 2017  
SAN FRANCISCO, CALIFORNIA**

**S170957****PEOPLE v. BECERRADA  
(RUBEN)**

Opinion filed: Conviction affirmed, special circumstances reversed

We reverse the lying-in-wait special-circumstance finding and otherwise affirm the judgment.

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S240090**      A140589 First Appellate District, Div. 4**PEOPLE v. BUSH (WILLIAM  
DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 17, 2017.

**S240118**      B267255 Second Appellate District, Div. 8**PEOPLE v. TUCKER  
(PHILLIP)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 18, 2017.

**S240129**      C062694 Third Appellate District**PEOPLE v. DEV (AJAY  
KUMAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 18, 2017.

**S155160****PEOPLE v. RAMIREZ  
(IRVING ALEXANDER)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Maria Morga's representation that the appellant's reply brief is anticipated to be filed by July 17, 2017, counsel's request for an extension of time in which to file that brief is granted to June 19, 2017. After that date, only one further extension totaling about 27 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).)

**S159120****PEOPLE v. DEMOLLE  
(ALEX)**

Extension of time granted

Good cause appearing, and based upon State Public Defender Mary K. McComb's representation that the appellant's reply brief is anticipated to be filed by December 17, 2017, counsel's request for an extension of time in which to file that brief is granted to June 14, 2017. After that date, only three further extensions totaling about 185 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).)

**S176812****PEOPLE v. YONKO (TONY  
RICKY)**

Extension of time granted

Good cause appearing, and based upon counsel Randall Bookout's representation that the appellant's reply brief is anticipated to be filed by February 9, 2018, counsel's request for an extension of time in which to file that brief is granted to June 9, 2017. After that date, only four further extensions totaling about 243 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).)

**S198378****PEOPLE v. RICHARDSON  
(JASON RUSSELL)**

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 June 12, 2017.

**S203626****DEMENT (RONNIE DALE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Ann L. Kim's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by May 1, 2018, counsel's request for an extension of time in which to file that document is granted to June 19, 2017. After that date, only six further extensions totaling about 315 additional days will be granted.

**S219567**

A138949 First Appellate District, Div. 1

**WEATHERFORD  
(CHERRITY) v. CITY OF SAN  
RAFAEL**

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 appellant's motion is extended to April 24, 2017. No further extensions of time will be granted.

**S231571****ANDREWS (JESSE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael N. Burt's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 17, 2017, counsel's request for an extension of time in which to file that document is granted to June 19, 2017. After that date, no further extension is contemplated.

**S237801**

A146277 First Appellate District, Div. 3

**IN RE C.B.**

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 May 22, 2017.

**S240044**

C078960 Third Appellate District

**PEOPLE v. GONZALES  
(CRAIG DANNY)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 17, 2017.

**S239961**

C081047 Third Appellate District

**PEOPLE v. PEREZ (LUIS  
MANUEL)**

Counsel appointment order filed

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

**S232639**

E062380 Fourth Appellate District, Div. 2

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

Order filed

On application of real party in interest and good cause appearing, it is ordered that the application to file the supplemental letter brief is hereby granted.

**S239796****NICHOLSON ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that TIMOTHY ALAN NICHOLSON, State Bar Number 140628, 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. TIMOTHY ALAN NICHOLSON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 9, 2016; and
2. At the expiration of the period of probation, if TIMOTHY ALAN NICHOLSON has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If TIMOTHY ALAN NICHOLSON 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.

**S239797****MEHRBAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that JULIE A. MEHRBAN, State Bar Number 271290, 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. JULIE A. MEHRBAN is suspended from the practice of law for the first 30 days of probation;
2. JULIE A. MEHRBAN 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 December 21, 2016; and
3. At the expiration of the period of probation, if JULIE A. MEHRBAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JULIE A. MEHRBAN 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 her membership fees for each of the years 2018, 2019, and 2020. If JULIE A. MEHRBAN 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.

**S239841****NAKAWAKI ON DISCIPLINE**

Recommended discipline imposed

The court orders that GLENN KAZUO NAKAWAKI, State Bar Number 118064, 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. GLENN KAZUO NAKAWAKI is suspended from the practice of law for the first 90 days of probation;
2. GLENN KAZUO NAKAWAKI 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 December 21, 2016; and
3. At the expiration of the period of probation, if GLENN KAZUO NAKAWAKI has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GLENN KAZUO NAKAWAKI 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).)

GLENN KAZUO NAKAWAKI must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If GLENN KAZUO NAKAWAKI 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.

**S239842****MYERS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that TIMOTHY DAVID MYERS, State Bar Number 199356, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

TIMOTHY DAVID MYERS must make restitution to Nancy Myers in the amount of \$60,151.55 plus 10 percent interest per year from August 31, 2015. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

TIMOTHY DAVID MYERS 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.

**S239881****PINA ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL ARTHUR PINA, State Bar Number 157116, 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. MICHAEL ARTHUR PINA is suspended from the practice of law for the first year of probation;
2. MICHAEL ARTHUR PINA 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 December 22, 2016; and
3. At the expiration of the period of probation, if MICHAEL ARTHUR PINA has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL ARTHUR PINA 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).)

MICHAEL ARTHUR PINA must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If MICHAEL ARTHUR PINA 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.

## **S239886**

## **SHIRER ON DISCIPLINE**

Recommended discipline imposed

The court orders that RAE DIANE SHIRER, State Bar Number 167137, 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 two years subject to the following conditions:

1. RAE DIANE SHIRER is suspended from the practice of law for the first 30 days of probation;
2. RAE DIANE SHIRER 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 December 20, 2016; and
3. At the expiration of the period of probation, if RAE DIANE SHIRER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2018, 2019, and 2020. If RAE DIANE SHIRER 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.

**S239890****YIANILOS ON DISCIPLINE**

Recommended discipline imposed

The court orders that KAREN KERRY YIANILOS, State Bar Number 102050, 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. KAREN KERRY YIANILOS is suspended from the practice of law for the first 60 days of probation;
2. KAREN KERRY YIANILOS 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 December 7, 2016; and
3. At the expiration of the period of probation, if KAREN KERRY YIANILOS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

KAREN KERRY YIANILOS 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 her membership fees for each of the years 2018, 2019, and 2020. If KAREN KERRY YIANILOS 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.

**S239891****REDINGER ON DISCIPLINE**

Recommended discipline imposed

The court orders that GARY STEPHEN REDINGER, State Bar Number 74041, 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. GARY STEPHEN REDINGER is suspended from the practice of law for the first six months of probation (with credit given for the period of interim suspension which commenced on August 22, 2016);
2. GARY STEPHEN REDINGER 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 December 19, 2017; and
3. At the expiration of the period of probation, if GARY STEPHEN REDINGER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GARY STEPHEN REDINGER 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 2018, 2019, and 2020. If GARY STEPHEN REDINGER 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.

**S239893****SWARTZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that LINDA KAYE SWARTZ, State Bar Number 154596, 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 three years subject to the following conditions:

1. LINDA KAYE SWARTZ is suspended from the practice of law for the first six months of probation;
2. LINDA KAYE SWARTZ 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 December 20, 2016; and
3. At the expiration of the period of probation, if LINDA KAYE SWARTZ has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

LINDA KAYE SWARTZ 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.

**S239894****O'KEEFE ON DISCIPLINE**

Recommended discipline imposed

The court orders that SEAN ENRIQUE O'KEEFE, State Bar Number 116418, 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. SEAN ENRIQUE O'KEEFE is suspended from the practice of law for the first 30 days of probation;
2. SEAN ENRIQUE O'KEEFE 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 December 16, 2016; and
3. At the expiration of the period of probation, if SEAN ENRIQUE O'KEEFE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

SEAN ENRIQUE O'KEEFE 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 2018, 2019, and 2020. If SEAN ENRIQUE O'KEEFE 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.

**S239895**

**BUENROSTRO ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that FEDERICO ROSE BUENROSTRO, State Bar Number 118996, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

FEDERICO ROSE BUENROSTRO 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.