

**[NO MINUTES WERE GENERATED FOR
TUESDAY, APRIL 16, 2019]**

526

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 17, 2019
SAN FRANCISCO, CALIFORNIA**

S254005 F076263 Fifth Appellate District **IN RE F.G.**
Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Orozco*, S249495 (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, Kruger, and Groban, JJ.

S254030 G054148 Fourth Appellate District, Div. 3 **PEOPLE v. McDONALD
(DUSTIN SEAN ROSS)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Frahs*, S252220 (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, Kruger, and Groban, JJ.

S254506 B294110 Second Appellate District, Div. 8 **W. (D.) v. S.C. (PEOPLE)**
Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Eight, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its order denying the petition for writ of mandate and to issue an order to show cause directing respondent court to show cause why relief should not be granted on petitioner's claim that the juvenile court's finding of a prima facie case is no longer valid following Senate Bill No. 1437's amendments to Penal Code sections 188 and 189. The stay of proceedings in *People v. Darryon W.*, Los Angeles County Superior Court No. NA105083, previously issued by this court, is to remain in effect pending further order of the Court of Appeal.

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

S253868 C082548/C084428 Third Appellate District
Petition for review denied

IN RE J.Y.

S253890 D073284 Fourth Appellate District, Div. 1

**SAN DIEGANS FOR OPEN
GOVERNMENT v. CITY OF
SAN DIEGO (SYMPHONY
ASSET POOL XVI, LLC)**

Petition for review denied

S253908 B279490/B280866 Second Appellate District, Div. 4 **OLIVE (JASON) v. GENERAL
NUTRITION CENTERS, INC.**

Petition for review denied

S253975 B283278 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. SMITH (DAVID)

S253992 B282867 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. LOPEZ (LAURO)

S254015 B283206 Second Appellate District, Div. 7

**PIKOVER (JERRY) v.
LIBERTY MUTUAL FIRE
INSURANCE COMPANY**

Petition for review & publication request(s) denied

S254024 D075125 Fourth Appellate District, Div. 1

**GAINES (MICHAEL) v. S.C.
(PEOPLE)**

Petition for review denied

S254046 B284253 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. MILES (TYRONE)

S254073 F072663 Fifth Appellate District

**PEOPLE v. DHILLON
(SUNDEEP)**

Petition for review denied

S254074 G048762 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARQUEZ
(DANIEL JOSEPH)**

S254090 B283044 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MORRIS (PIERRE
LAKELL)**

S254095 A153162 First Appellate District, Div. 1

Petition for review denied

PEOPLE v. WHITE (COLLIN)

S254097 A152493 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. ALEXANDER
(GREGORY)**

S254111 D074469 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CLEVELAND
(TOR CLIFTON)**

S254130 B285295 Second Appellate District, Div. 8

Petition for review & depublication request(s) denied

**VENICE COALITION TO
PRESERVE UNIQUE
COMMUNITY CHARACTER
v. CITY OF LOS ANGELES**

S254133 C077516 Third Appellate District

Petition for review denied

**PEOPLE v. BRADFORD
(JESSICA NICOLE)**

S254138 H043734 Sixth Appellate District

Petition for review denied

**PEOPLE v. THOMAS (FRANK
HILL)**

S254143 B288846 Second Appellate District, Div. 6

Petition for review denied

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

S254151 A147968 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. SHERWOOD
(STEVEN)**

S254227 B280356 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SAENZ (JESUS
MIGUEL)**

S254232 C082339 Third Appellate District

Petition for review denied

**PETALUMA, CITY OF v.
BOSLER (KEELY)**

S254235 D075320 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. TUCKER
(WILLIAM TERRELL)**

S254245 B290838 Second Appellate District, Div. 8
Petition for review denied

IN RE A.B.

S254284 B285955 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LEWIS (RONNIE
DAVE)**

S254285 G054219 Fourth Appellate District, Div. 3

Petition for review denied
Petitioners' motion for judicial notice is denied.
Respondents' motion for judicial notice is denied.

**LINDSEY (JAMES R.) v.
CONTEH (ALIEU B. M.)**

S254336 A151046 First Appellate District, Div. 3

Petition for review denied

**MA (XIAO JIE) v. ZHAO
(BING)**

S254364 A154089 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MEJIA (PEDRO
ORELLANA)**

S254386 D073614 Fourth Appellate District, Div. 1

**PEOPLE v. ROBBINS
(JEREMY JOSEPH)**

Petition for review denied

S254400 B291336 Second Appellate District, Div. 5

LORENZO (JAIME) ON H.C.

The petition for review is denied on the merits with regard to petitioner's claim of instructional error related to former CALJIC 3.00. (See *Harrington v. Richter* (2011) 562 U.S. 86, citing *Ylst v. Nunnemaker* (1991) 501 U.S. 797, 803.)

S254407 A149873 First Appellate District, Div. 5

**HOLMES (MARK S.) v.
COUNTY OF SAN MATEO**

Petition for review denied

S254416 C088803 Third Appellate District

**SCOTT (ANDRE RENE) ON
H.C.**

Petition for review denied

S254449 B293265 Second Appellate District, Div. 3

**CROOK (LYLE
ALEXANDER) ON H.C.**

Petition for review denied

S254472 G053984 Fourth Appellate District, Div. 3

**ADAMS (KRISTINE L.) v.
NEWPORT CREST
HOMEOWNERS
ASSOCIATION**

Petition for review denied

Petitioner's request for judicial notice, filed on March 13, 2019, is denied.

S254476 C082645 Third Appellate District

**PEOPLE v. COOK (BRYAN
SCOTT)**

Petition for review denied

S254478 C083516 Third Appellate District

**PEOPLE v. GRAVES
(LAVELL)**

Petition for review denied

S254492 B281808 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PULSKAMP
(JOHN THOMAS)**

S254496 A153238 First Appellate District, Div. 5

Petition for review & depublication request(s) denied

**McCORKLE EASTSIDE
NEIGHBORHOOD GROUP v.
CITY OF ST. HELENA
(McGRATH)**

S254507 B284932 Second Appellate District, Div. 1

Petition for review denied

**DONDLINGER (JIMMIE J.) v.
LOS ANGELES COUNTY
REGIONAL PARK & OPEN
SPACE DISTRICT**

S254511 G057308 Fourth Appellate District, Div. 3

The application of petitioner to file the unredacted petition for review under seal is granted. (Cal. Rules of Court, rules 2.550(d), 8.46(b).) In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(d)(6). The clerk of this court is directed to file the unredacted petition under seal.
The petition for review is denied.

**ARBALLO (ALAN JACOB) v.
S.C. (PEOPLE)**

S254514 C084496 Third Appellate District

Petition for review denied

**PEOPLE v. GARCIA (JENNA
LOUISA ROJAS)**

S254522 B286467 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. CASILLAS
(ALBERTO)**

S254523 A151338 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. DURANT
(ANTHONY L.)**

S254537 D074195 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. FUENTES (JUAN)

S254538 A156305 First Appellate District, Div. 2

Petition for review denied

**RATLIFF (REGINALD) v. S.C.
(TROJAN CAPITAL
INVESTMENTS, LLC)**

S254565 A151017 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GONZALEZ
(JOSE ARTURO)**

S254567 D069324 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WATSON
(KHARY)**

S254568 A153218 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JAMERSON
(IDRIS BILAL)**

S254576 H045878 Sixth Appellate District

Petition for review denied

**GARRARD (CAROL) v. S.C.
(PODLEWSKI)**

S254580 D075383 Fourth Appellate District, Div. 1

Petition for review denied

**BENIHANA NATIONAL
CORPORATION v. S.C.
(GOLD)**

S254581 D074463 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BAKER, JR.,
(ROBERT FRANCIS)**

S254582 F075181 Fifth Appellate District

Petition for review denied

**PEOPLE v. MARIN
(GERONIMO)**

S254585 B277799/B279724 Second Appellate District, Div. 3 **PEOPLE v. KNOTT**
(ANDREA)

Petition for review denied

S254593 D073640 Fourth Appellate District, Div. 1 **PEOPLE v. MENDIETA**
(HECTOR)

Petition for review denied

S254605 B282713 Second Appellate District, Div. 2 **MONROVIA, CITY OF v.**
WHITE (PAULINE)

Petition for review denied

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

S254610 C085090 Third Appellate District **PEOPLE v. HIGGS**
(MAURICE)

Petition for review denied

S254611 E069832 Fourth Appellate District, Div. 2 **IN RE A.H.**
Petition for review denied

S254612 A153369 First Appellate District, Div. 5 **SILVER (BRIAN R.) v. HASTY**
(STEVEN G.)

Petition for review denied

S254614 E068512 Fourth Appellate District, Div. 2 **PEOPLE v. FLORES (JOSEPH**
ALBERT)

Petition for review denied

S254615 B272268 Second Appellate District, Div. 2 **KEA (HIM) v. LY**
(ANTHONY); PHAN (SOK
HOEUT)

Petition for review denied

S254635 E068843 Fourth Appellate District, Div. 2 **PEOPLE v. HOWELL**
(WILLIE PAUL)

Petition for review denied

S254642	B287570 Second Appellate District, Div. 6	PEOPLE v. LOVE (ANDRE TERIAL)
Petition for review denied		
S254643	G055294 Fourth Appellate District, Div. 3	PEOPLE v. ATKINS III (LINDOL M.)
Petition for review denied		
S254645	A153140 First Appellate District, Div. 5	PEOPLE v. MATKO (DANIELLE)
Petition for review denied		
S254647	G054917 Fourth Appellate District, Div. 3	PEOPLE v. BARRAGAN (SALVADOR)
Petition for review denied		
S254648	C086246 Third Appellate District	PEOPLE v. CISCO (ANTIONE TRAYVON)
Petitions for review denied		
S254652	B285596 Second Appellate District, Div. 2	PEOPLE v. WELCH (MARIO)
Petition for review denied		
S254655	A153825 First Appellate District, Div. 2	IN RE J.G.
Petition for review denied		
S254656	B284398 Second Appellate District, Div. 7	PEOPLE v. PEREZ (JOSEPH)
Petition for review denied		
S254657	C085781 Third Appellate District	PEOPLE v. RHODES (BRETT CHRISTOPHER)
Petition for review denied		
S254663	C074708 Third Appellate District	PEOPLE v. WOLFINGTON, JR., (BILLY THOMAS)

Petition for review denied

S254664 B285481 Second Appellate District, Div. 7
Petition for review denied

IN RE K.D.

S254665 B287197 Second Appellate District, Div. 5

**PEOPLE v. MORGAN
(WILLIAM)**

Petition for review denied

S254668 B295662 Second Appellate District, Div. 6

**ROBINSON (RONALD) ON
H.C.**

Petition for review denied

S254670 D073345 Fourth Appellate District, Div. 1

**QBE INSURANCE
CORPORATION v.
AMERICAN CLAIMS
MANAGEMENT, INC.**

Petition for review denied

The request to appear as counsel pro hac vice, filed on March 14, 2019, is granted.

S254672 E069375 Fourth Appellate District, Div. 2

**PEOPLE v. POTTER
(RONALD EDWARD)**

Petition for review denied

S254675

**SAMAD (ALAMIN) v. S.C.
(PEOPLE)**

Petition for writ of error coram vobis denied

The petition for writ of error *coram nobis* is denied. (See *People v. Martinez* (2018) 4 Cal.5th 647, 655.)

S254682

**RUST (FRANK) v. COURT OF
APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION TWO (PEOPLE)**

Petition for writ of mandate/prohibition denied

S254683 C082580 Third Appellate District

Petition for review denied

**PEOPLE v. FULGHAM
(AARON)**

S254685 E068841 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. COVIN (FRANK
JOSEPH)**

S254880 C082243 Third Appellate District

The petition for review filed by defendant Goerlich is denied.

The motion of defendant Roy to sever appeals for the purpose of immediate issuance of the remittitur as to him is denied as moot. This matter is now final.

**PEOPLE v. GOERLICH
(CHARLES)**

S250351

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].)

**GATEWOOD (LAVELL) ON
H.C.**

S250372

Petition for writ of habeas corpus denied

**TAYLOR (JAMES RAY) ON
H.C.**

S251936

Petition for writ of habeas corpus denied

**BARNES (KEVIN JEROME)
ON H.C.**

S251997

Petition for writ of habeas corpus denied

JACKSON (KENJI) ON H.C.

S252114

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].)

**HERRERA (JULIO JAVIER)
ON H.C.**

S252340**ROCHA (RANDY JOE) 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].) Individual claims are denied, as applicable: (See *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 Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S252345**COBBS, SR., (ANDRE
WILLIAM) 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].)

S252368**MUHAMMAD (SHAKA
SENEGAL) ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Palmer*, S252145.

S252419**CLARK (MELVIN) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S252429**JACKSON (STEPHEN) 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].)

S252431**WINDSOR-ROMANOV
(PIERRE ARMAND
RANDALL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *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].)

S252435

Petition for writ of habeas corpus denied

NICHOLS (JOSEPH) ON H.C.**S252448**

Petition for writ of habeas corpus denied

KELLER (JOHN) ON H.C.**S252450**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

**MOORE (MARQUIS
DOMINIQUE) ON H.C.****S252453**

Petition for writ of habeas corpus denied

**MYERS (CLARENCE LEE)
ON H.C.****S252455**

Petition for writ of habeas corpus denied

**PERRY (THOMAS EDWARD)
ON H.C.****S252466**

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].)

**WILLIAMS (CURTIS JOHN)
ON H.C.****S252471**

The petition for writ of habeas corpus is denied. (See *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

TOWERS (ROGER) ON H.C.**S252537**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Palmer*, S252145.

COOPER (DAN H.) ON H.C.**S252541**

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

JONES (OMAR) ON H.C.

750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S252551

**SOLANO (MARTHA
GABRIELLA) ON H.C.**

Petition for writ of habeas corpus denied

S252586

**NGUYEN (MY LOAN) ON
H.C.**

Petition for writ of habeas corpus denied

S252622

NOLAN (RICHARD) ON H.C.

Petition for writ of habeas corpus denied

S252630

LYNEX (TOMMIE) ON H.C.

Petition for writ of habeas corpus denied

S252635

HILLIS (ALVENUS) 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].)

S252637

**HAMILTON (ALBERT J.) ON
H.C.**

Petition for writ of habeas corpus denied

S252638

**KLINEFELTER (JEFFREY
SCOTT) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S252639

**RODRIGUEZ (ORLANDO)
ON H.C.**

Petition for writ of habeas corpus denied

S252641**ABERNATHY (RASHON JAY)
ON H.C.**

Petition for writ of habeas corpus denied

S252652**HARDIN (LEON 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].)

S252665**DALTON (ALVIN) 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].)

S252671**HERRERA (JULIO JAVIER)
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].)

S252716**DICK (CARL LEE) ON H.C.**

Petition for writ of habeas corpus denied

S252731**HARRIS (CALVIN
LORENZO) ON H.C.**

Petition for writ of habeas corpus denied

S252732**GONZALEZ (GUSTAVO) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *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].)

S252734**ENNIS (JOSEPH
LAFAYETTE) ON H.C.**

Petition for writ of habeas corpus denied

S252738**PHA (NENG SAYPAO) 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].)

S252740

**ALEMAN (MICHAEL
ANGEL) ON H.C.**

Petition for writ of habeas corpus denied

S252742

**FORD (HAROLD MARQUES)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *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].)

S252769

**BLACK, JR., (ROBERT) ON
H.C.**

Petition for writ of habeas corpus denied

S252799

**HARVEY (KENNETH) 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].)

S252800

VIVEROS (ERICK) ON H.C.

The petition for writ of habeas corpus is denied. (See *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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

S252806

**BRATTON (HERMAN
JAMES) ON H.C.**

Petition for writ of habeas corpus denied

S252808

Petition for writ of habeas corpus denied

PRECIADO (LUIS A.) ON H.C.**S252809**

Petition for writ of habeas corpus denied

ARIAS (BARNEY JOE) ON H.C.**S252810**

Petition for writ of habeas corpus denied

LY (PHAT TAN) ON H.C.**S252814**

Petition for writ of habeas corpus denied

KLINEFELTER (JEFFREY SCOTT) ON H.C.**S252823**

Petition for writ of habeas corpus denied

STROUD (DAVID LEONARD) ON H.C.**S252862****WAGNER (DeAUNDRE) 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. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Individual claims are denied, as applicable. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S252871

Petition for writ of habeas corpus denied

CARDOZA (GABRIEL CUEVAS) ON H.C.**S253075**

Petition for writ of habeas corpus denied

HAMILTON (ALBERT J.) ON H.C.

S253284**ENNIS (JOSEPH
LAFAYETTE) 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].)

S253453**HILLIS (ALVENUS) 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].)

S253672**JACOME (ALEXANDER) ON
H.C.**

Petition for writ of habeas corpus denied

S254261**NICHOLS (JOSEPH) ON H.C.**

Petition for writ of habeas corpus denied

S254508**W. (DARRYON) ON H.C.**

The petition for writ of habeas corpus and request for stay are denied without prejudice to the filing of a new petition in the Court of Appeal, Second Appellate District, Division Eight, if that court denies petitioner's petition for writ of mandate (case no. S254506/B294110).

S254144

B285755 Second Appellate District, Div. 6

**HARBOUR ISLAND
CONDOMINIUM OWNERS
ASSOCIATION, INC. v.
ALEXANDER (SUSAN)**

Publication request denied (case closed)

S254214

B277227 Second Appellate District, Div. 6

**GOLETA AG
PRESERVATION v. GOLETA
WATER DISTRICT**

Publication request denied (case closed)

S254868

E069481 Fourth Appellate District, Div. 2

**MARTIN (CRAIG &
CYNTHIA), MARRIAGE OF**

Time for ordering review extended on the court's own motion

The time for ordering review on the court's own motion is hereby extended to July 9, 2019. (Cal. Rules of Court, rule 8.512(c).)

S127119**PEOPLE v. GIVENS (TODD)**

Extension of time denied

The application of appellant for an extension of time to file appellant's reply brief is denied.

S142959**PEOPLE v. YOUNG
(DONALD RAY) & YOUNG
(TIMOTHY JAMES)**

Extension of time granted

On application of appellant Timothy Young, it is ordered that the time to serve and file appellant's opening brief is extended to June 17, 2019.

S142959**PEOPLE v. YOUNG
(DONALD RAY) & YOUNG
(TIMOTHY JAMES)**

Extension of time granted

On application of appellant Donald Young, it is ordered that the time to serve and file appellant's opening brief is extended to June 17, 2019.

S169152**PEOPLE v. COLBERT
(TECUMSEH N.)**

Extension of time granted

Upon application of Supervising Deputy State Public Defender, Nina Wilder, counsel for appellant, an extension of time in which to serve and file the appellant's reply brief is granted to June 21, 2019. 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).)

S170001**PEOPLE v. WATTA
(BENJAMIN WAYNE)**

Extension of time granted

Based upon counsel Jonathan P. Milberg's representation that the appellant's reply brief is anticipated to be filed by December 11, 2019, an extension of time in which to serve and file that brief is granted to June 11, 2019. After that date, only three further extensions totaling about 182 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).)

S186271**PEOPLE v. JOHNSON (MILA)**

Extension of time granted

Based upon counsel Mark D. Greenberg's representation that the appellant's reply brief is anticipated to be filed by May 10, 2019, an extension of time in which to serve and file that brief is granted to May 10, 2019. After that date, no further extension is contemplated.

S208209**PEOPLE v. BURRIS
(NATHAN)**

Extension of time granted

Based upon Senior Deputy State Public Defender Elias Batchelder's representation that the appellant's opening brief is anticipated to be filed by May 15, 2019, an extension of time in which to serve and file that brief is granted to May 15, 2019. After that date, no further extension will be granted.

S212161**PEOPLE v. WALTERS
(MICHAEL J.)**

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 June 21, 2019.

S224393**PEOPLE v. HARTS (TYRONE
LEVOID)**

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 June 14, 2019.

S249872

A150689 First Appellate District, Div. 1

**PEOPLE v. VEAMATAHAU
(JOSEPH)**

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 17, 2019.

S251706 F073594 Fifth Appellate District

**PEOPLE v. RODRIGUEZ
(DAVID PHILLIP)**

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 May 13, 2019.

S253227 A136451 First Appellate District, Div. 3

**PEOPLE v. ANDERSON
(VERNON)**

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 May 14, 2019.

S253574

**MENDOZA (LEOPOLDO
PENA); CORTES (JOSE
ARMANDO); SANCHEZ
(ELVIZ) v. FONSECA
McELROY GRINDING CO.,
INC.; GRANITE ROCK
COMPANY**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 13, 2019.

S253593

**YAHOO! INC. v. NATIONAL
UNION FIRE INSURANCE
COMPANY OF
PITTSBURGH,
PENNSYLVANIA**

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 June 28, 2019.

S255043**RAGAN (DANIEL PHILLIP) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(PEOPLE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the preliminary opposition is extended to May 15, 2019.

S255111 B281760 Second Appellate District, Div. 6**ANKA (ANNA) & YEAGER
(LOUIS), MARRIAGE OF**

Extension of time granted

On application of respondent E.Y. and good cause appearing, it is ordered that the time to serve and file the opposition to depublication request is extended to April 22, 2019.

S255111 B281760 Second Appellate District, Div. 6**ANKA (ANNA) & YEAGER
(LOUIS), MARRIAGE OF**

Extension of time granted

On application of respondent Louis Yeager and good cause appearing, it is ordered that the time to serve and file the opposition to the depublication request is extended to April 22, 2019.

S253629 B245657 Second Appellate District, Div. 8**PEOPLE v. MERAZ (JUNA
RAMON)**

Counsel appointment order filed

Upon request of appellant Juan Ramon Meraz for appointment of counsel, Jennifer Mannix is hereby appointed to represent appellant on the appeal now pending in this court.

S253629 B245657 Second Appellate District, Div. 8**PEOPLE v. MERAZ (JUAN
RAMON)**

Counsel appointment order filed

Upon request of appellant Juan M. Chambasis for appointment of counsel, Derek Kowata is hereby appointed to represent appellant on the appeal now pending in this court.

S253629 B245657 Second Appellate District, Div. 8**PEOPLE v. MERAZ (JUAN
RAMON)**

Counsel appointment order filed

Upon request of appellant Victor Bibiano for appointment of counsel, Robert Boyce is hereby appointed to represent appellant on the appeal now pending in this court.

S038073

**PEOPLE v. MANRIQUEZ
(ABELINO)**

Motion for access to sealed record granted

Condemned inmate Abelino Manriquez's "Application for Release of Files, Records, and Any Confidential Materials," filed on February 14, 2019, is granted in part and denied in part as follows. Manriquez's counsel, the Federal Public Defender for the Central District of California, is granted access to the record in *People v. Manriquez* (S038073), except for the "Reporter's Daily Transcript of Ex Parte Proceedings, Volume 1-E, Pages 20-22, Wednesday, July 17, 1991." Manriquez's application is denied as unnecessary as to the record in *In re Abelino Manriquez on Habeas Corpus* (S141210), which does not contain any sealed or confidential documents. Counsel must supply the personnel and equipment necessary to undertake this review and copying of the records, which must occur on the premises of the court. Counsel must not release or cause to be released any of the sealed or confidential materials or any of the information contained therein to anyone other than counsel's agents without a prior order of this court.

S204700

**THOMAS (REGIS DEON) ON
H.C.**

Motion for access to sealed record granted

Respondent's "Motion for Access to Sealed Penal Code Section 987.9 Materials for Use in the Pending State Habeas Corpus Proceeding," filed March 8, 2019, is granted. The Clerk is directed to provide respondent access to the materials filed in the record on appeal pursuant to Penal Code section 987.9, as follows: "Clerk's Transcript 987.9 Documents," Volumes 2 and 3. The Attorney General must supply the personnel and equipment necessary to undertake the examination and copying of these documents, which must occur on the premises of the court. Except as provided herein, these documents remain under seal and their use must be limited solely to the pending proceeding. (Pen. Code, § 987.9, subd. (d).)

S206484

**PEOPLE v. ESPINOZA
(PEDRO)**

Motion for access to sealed record granted

Respondent's "Application for Copy of Confidential Marsden Records," filed on February 11, 2019, is granted. The Clerk is directed to provide copies of the following sealed items to counsel for respondent: (1) Reporter's Sealed Transcript on Appeal, Marsden Hearing, October 18, 2011;

(2) Reporter's Sealed Transcript on Appeal, Marsden Hearing, November 10, 2011; (3) Reporter's Sealed Transcript on Appeal, Marsden Hearing, January 6, 2012; (4) Reporter's Sealed Transcript, Marsden Hearing, February 8, 2012; (5) Reporter's Sealed Transcript on Appeal, Marsden Motion, March 5, 2012; and (6) Reporter's Sealed Transcript on Appeal, Marsden Motion, April 30, 2012.

S179850**DYDZAK ON DISCIPLINE**

Order filed – DANIEL DAVID DYDZAK

The motion to vacate, reverse and set aside order, request for judicial notice, and the motion for an order to show cause filed January 28, 2019 are denied. The motions for oral argument and for an expedited hearing are denied.

S250108

G054241 Fourth Appellate District, Div. 3

**PEOPLE v. LEMCKE
(DESIRAE LEE)**

Order filed

The order filed on April 5, 2019, granting permission to file the untimely answer brief on the merits, is hereby amended in its entirety to read as follows:

“The application of appellant Charles Henry Rudd for leave to file the proffered untimely opening brief on the merits is granted.”

S254612

A153369 First Appellate District, Div. 5

**SILVER (BRIAN R.) v. HASTY
(STEVEN G.)**

Order filed

The application by appellant for permission to file a corrected petition for review is hereby granted.

S254499**ACCUSATION OF DUONG**

Petition denied

(accusation)

S254276**CLARK ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied.

The court orders that DIDDY RUTH CLARK (Respondent), State Bar Number 79876, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following

conditions:

1. Respondent is suspended from the practice of law for the first 60 days of probation;
2. Respondent must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on January 7, 2019; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Review Department in its Opinion filed on January 7, 2019. 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.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
MAY 7 AND 8, 2019**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 7 and 8, 2019.

TUESDAY, MAY 7, 2019 — 9:00 A.M.

- (1) Wilson (Stanley) v. Cable News Network, Inc., et al., S239686
- (2) Christensen (Angie) v. Lightbourne, as Director, etc. (Will), S245395
- (3) Monster Energy Company v. Schechter (Bruce L.) et al., S251392

1:30 P.M.

- (4) Quigley (Rebecca Megan) v. Garden Valley Fire Protection District et al., S242250
- (5) Chen (Hairu) et al. v. L.A. Truck Centers, LLC, S240245
- (6) In re Rogers (David Keith) on Habeas Corpus, [related to an underlying Automatic Appeal], S084292

WEDNESDAY, MAY 8, 2019 — 9:00 A.M.

- (7) Noel, as Personal Representative, etc. (Diana Nieves) v. Thrifty Payless, Inc., S246490
- (8) Satele (William Tupua) v. Superior Court of Los Angeles County (People, Real Party in Interest), S248492
- (9) People v. Young (Jeffrey Scott), [Automatic Appeal], S148462

CANTIL-SAKAUYE

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)