

**SUPREME COURT MINUTES
THURSDAY, APRIL 26, 2018
SAN FRANCISCO, CALIFORNIA**

S110294

**PEOPLE v. DAVEGGIO
(JAMES ANTHONY) &
MICHAUD (MICHELLE LYN)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Chin, Liu, Cuéllar, O'Leary* and Pollak**, JJ.

* Presiding Justice of the Court of Appeal, Fourth Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

** Associate Justice of the Court of Appeal, First Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S229276 A141143 First Appellate District, Div. 2**IN RE I.C.**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed.

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Renner*, JJ.

* Associate Justice of the Court of Appeal, Third Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S238929 C074138 Third Appellate District

**PEOPLE v. CHAVEZ
(LORENZO)**

Opinion filed: Judgment affirmed in full

A trial court's power to provide relief under section 1385 depends on when a request for relief is made. At any time before a criminal defendant pleads guilty, receives a suspension of sentence, begins a term of probation, or, indeed, completes it, the defendant may invite the trial court to act in the interests of justice and dismiss the action against him. By the time the defendant has completed probation, however, the trial court's power under section 1385 to grant him the relief he seeks has run out. The action against the defendant has ceased, the court may no longer impose a final judgment on him, and the court's dismissal power under section 1385 has expired. Because Chavez completed probation four years before inviting the court to dismiss pursuant to section 1385, we find that the trial court did not have jurisdiction under that section to consider his dismissal request. On this basis, we affirm the judgment of the Court of Appeal.

Majority Opinion by Cuéllar, J.

-- joined by Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Kruger, and Rothschild*, JJ.

* Presiding Justice of the Court of Appeal, Second Appellate District, Division One, assigned by

the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S247994

**COOPER (CRAIG) v. COURT
OF APPEAL, FIRST
APPELLATE DISTRICT
(GOODWIN)**

Vexatious litigant application denied

The application of petitioner for leave to file a writ of mandate is hereby denied.

S247679

**CONNOLLY (JUDITH) v. S.C.
(HUNT)**

Transferred to Court of Appeal, Third Appellate District

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

S248311

MOBILIA ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of ANDREA LOUISE MOBILIA, State Bar Number 91392, as a member of the State Bar of California is accepted.

S248312

**NUECHTERLEIN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTOPHER A. NUECHTERLEIN, State Bar Number 194818, as a member of the State Bar of California is accepted.

S248313

**ROBNETT ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CARY SUSAN ROBNETT, State Bar Number 160585, as a member of the State Bar of California is accepted

S248314

**RODRIGUE ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JULIE ELLEN RODRIGUE, State Bar Number 220302, as a member of the State Bar of California is accepted.

S248315**ROTH ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of COLIN T. ROTH, State Bar Number 287096, as a member of the State Bar of California is accepted.

S248316**SCANLAN, JR., ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOSEPH ALOYSIUS SCANLAN, JR., State Bar Number 101928, as a member of the State Bar of California is accepted.

S248319**SHELDON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTOPHER JOHN SHELDON, State Bar Number 62750, as a member of the State Bar of California is accepted.

S248320**SPIEGELMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LORNE S. SPIEGELMAN, State Bar Number 186218, as a member of the State Bar of California is accepted.

S248321**TERRY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRETT O. TERRY, State Bar Number 270694, as a member of the State Bar of California is accepted.

S248322**WAGLEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANNE PAXTON WAGLEY, State Bar Number 173147, as a member of the State Bar of California is accepted.

S248323**BALLUFF ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KARIEN LORRAINE BALLUFF, State Bar Number 131693, as a member of the State Bar of California is accepted.

S248324**BIERSTEIN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KARIN BIERSTEIN, State Bar Number 105452, as a member of the State Bar of California is accepted.

S248325**CLEMENT ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DANIEL GORHAM CLEMENT, State Bar Number 60816, as a member of the State Bar of California is accepted

S248326**CROSSEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CASSANDRA P. CROSSEN, State Bar Number 143580, as a member of the State Bar of California is accepted.

S248327**DAVILA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARIAELENA DAVILA, State Bar Number 118984, as a member of the State Bar of California is accepted.

S248330**EDELSTEIN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GERALD FRED EDELSTEIN, State Bar Number 63799, as a member of the State Bar of California is accepted

S248332**GIBSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RAMONA PLOUSHA GIBSON, State Bar Number 176864, as a member of the State Bar of California is accepted.

S248333**HALLBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of M KATHLEEN HALLBERG, State Bar Number 71086, as a member of the State Bar of California is accepted.

S248334

**MALINOWSKI ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SYBIL C. MALINOWSKI, State Bar Number 135713, as a member of the State Bar of California is accepted.