

***[NO MINUTES WERE GENERATED FOR
TUESDAY, APRIL 28, 2020.]***

556

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 29, 2020
SAN FRANCISCO, CALIFORNIA**

S251333 F073942 Fifth Appellate District

**PEOPLE v. McKENZIE
(DOUGLAS EDWARD)**

Rehearing denied

S165195

**PEOPLE v. NAVARRO
(ANTHONY)**

Supplemental briefing ordered

The parties are directed to serve and file supplemental briefs addressing the following questions:
Was expert testimony that is excludable under *People v. Sanchez* (2016) 63 Cal.4th 665 (*Sanchez*) admitted at defendant's trial?

If so, can the admission of such evidence be asserted as a ground for reversal in this appeal (see, e.g., *People v. Perez* (2020) 9 Cal.5th 1)?

Assuming affirmative answers to the first two questions, was the admission of such testimony prejudicial to defendant?

The parties' supplemental briefs addressing the above questions must be served and filed on or before May 20, 2020. Any reply by the parties to the supplemental briefs must be served and filed on or before June 3, 2020.

S260740 C085063 Third Appellate District

**PEOPLE v. COLLINS
(ROBERT T.)**

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. Bryant*, S259956 (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.

S260780 B280357 Second Appellate District, Div. 7 **PEOPLE v. MAGANA
(WUENDY M.)**

Petition for review granted; briefing deferred

The petitions for review are granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Bryant*, S259956 (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. The request for an order directing publication of the opinion is denied.

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

S261029 C087771 Third Appellate District **PEOPLE v. GAMBOA
(RALPH HUERTA)**

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. Lopez*, S258175 (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.

S261087 B289019 Second Appellate District, Div. 1 **PEOPLE v. MELARA (OSKAR
ANTHONY)**

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 *People v. Tirado*, S257658 (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.

S261098 G056524 Fourth Appellate District, Div. 3 **PEOPLE v. STONE (ADAM
JAY)**

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.

S261295 H045521 Sixth Appellate District**PEOPLE v. SHEPPARD
(MICHAEL OLIVER)**

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.

S200464**SELF (CHRISTOPHER) ON
H.C.**

Order to show cause issued, returnable in Superior Court

This petition for writ of habeas corpus was filed in this court on March 1, 2012, 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.

Respondent’s request for judicial notice, filed October 4, 2012, is granted.

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause in the Superior Court of California, County of Riverside, when the matter is placed on calendar, why the relief prayed for should not be granted on the ground that trial counsel rendered ineffective assistance of counsel at the penalty phase of the trial because counsel was law partners with the attorney representing codefendant Orlando Gene Romero, as alleged in Claim 2.C.

The return is to be filed on or before May 29, 2020.

All remaining claims in the petition are denied on the merits, except Claims 21 and 22, which are denied as premature and without prejudice to renewal after an execution date is set.

Claims 6 (except to the extent it alleges the prosecutor failed to disclose favorable evidence concerning Munoz’s plea agreement) and 10 (to the extent it alleges the trial court erred in failing to instruct that victim impact evidence must be proven unanimously and beyond a reasonable doubt) are procedurally barred to the extent they could have been, but were not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 490-496.) Claims 1 and 4 (except to the extent they allege ineffective assistance of counsel) are procedurally barred because petitioner failed to preserve the claims at trial. (*In re Seaton* (2004) 34 Cal.4th 193, 199-200.)

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

S253353**SMITH (JIMMY) ON H.C.**

Order to show cause issued; returnable in Court of Appeal, Second Appellate District, Division Three

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Second District Court of Appeal, Division Three, when the matter is placed on calendar, why petitioner is not entitled to relief based on his claim that there was insufficient evidence to support the robbery-murder special circumstance finding under *People v. Clark* (2016) 63 Cal.4th 522, 609-623 and *People v. Banks* (2015) 61 Cal.4th 788.

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

S261111

B301891 Second Appellate District, Div. 1

WOODS (ANDRE) ON H.C.

Petition for review granted; transferred to Court of Appeal, Second Appellate District. Division One, 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 One, with directions to vacate its February 18, 2020, order denying the petition for writ of habeas corpus, and to issue an order directing the Secretary of the California Department of Corrections and Rehabilitation to show cause why petitioner should not be entitled to relief on the grounds that the failure to provide him with a youth offender hearing violates his right to equal protection of the laws under the Fourteenth Amendment to the federal Constitution and his right to be free from cruel and unusual punishment under the Eighth Amendment to the federal Constitution. (See *People v. Contreras* (2018) 4 Cal.5th 349, 382; *People v. Edwards* (2019) 34 Cal.App.5th 183.)

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

S197824**ROMERO (ORLANDO GENE)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

This petition for writ of habeas corpus was filed in this court on November 9, 2011, before the effective date of Proposition 66, the “Death Penalty Reform and Savings Act of 2016.” (See *Briggs v. Brown et al.* (2017) 3 Cal.5th 808, 862.) Under section 1509, subdivision (g) of the Penal Code, the court exercises its authority to retain this petition and decide it.

The petition for writ of habeas corpus is denied.

All claims are denied on the merits, except: Claim 4, to the extent it challenges the sufficiency of the trial evidence, which is denied as not cognizable on habeas corpus (*In re Lindley* (1947) 29 Cal.2d 709, 723); Claim 11, which is denied as premature and without prejudice to renewal after an execution date is set; and Claim 14, which is not cognizable on habeas corpus. To the extent Claim 14 requests joinder of the claims presented in codefendant Christopher Self’s habeas corpus petition, S200464, the request is denied.

Claim 3 (except insofar as it relies on evidence obtained at Jose Munoz’s 2004 postconviction

coram nobis proceedings and except to the extent it alleges the prosecutor committed misconduct in arguing future dangerousness) is procedurally barred because it could have been, but was not, raised on appeal. (*In re Dixon* (1953) 41 Cal.2d 756, 759; see also *In re Reno* (2012) 55 Cal.4th 428, 443, 490-496.)

Claim 3 (to the extent it alleges the prosecutor committed misconduct in arguing future dangerousness) is procedurally barred because it was raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; see also *In re Reno, supra*, 55 Cal.4th at pp. 476-490.)

Claim 5 (except to the extent it alleges ineffective assistance of counsel) is procedurally barred because petitioner failed to preserve the claim at trial. (*In re Seaton* (2004) 34 Cal.4th 193, 199-200.)

S260698 B303579 Second Appellate District, Div. 1 **WOODS (ANDRE LAMONT)
ON H.C.**

The petition for review is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S260764 G056520 Fourth Appellate District, Div. 3 **PEOPLE v. HANRAHAN
(DAVID EUGENE)**

Petition for review denied

S260807 E070658 Fourth Appellate District, Div. 2 **PEOPLE v. MORALES
(HIPOLITO OSORIO)**

Petition for review denied

S260817 B291732 Second Appellate District, Div. 6 **PEOPLE v. RUIZ (FRANK)**
Petition for review denied

S260832 C088019 Third Appellate District **6492 FLORIN PERKINS
ROAD LLC v. GALLETTA
(BRIAN)**

Petition for review denied

S260845 H045077 Sixth Appellate District **MHANNA (FIDA) & HAGE
(GHASSAN), MARRIAGE OF**

Petition for review denied

S260878 D074742 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. COSINERO
(JUAN)**

S260908 B295698 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. VASQUEZ
(WILMAR)**

S260938 B291736 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SANCHEZ
(ISRAEL)**

S260941 B286431 Second Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

**PEOPLE v. PEDROZA
(JOSEFINA)**

S260948 B288656 Second Appellate District, Div. 7

Petition for review denied

**SIMON (SELMA V.), ESTATE
OF**

S260981 E069732 Fourth Appellate District, Div. 2

Petitions for review denied

Liu, J., is of the opinion appellant Johnson's petition should be granted as to the 1st issue.

**PEOPLE v. JOHNSON
(TAJAY MARCELL)**

S260991 C082954 Third Appellate District

Petition for review denied

**PEOPLE v. DAVIS, JR.,
(LOVE)**

S260993 B290282 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. MURRAY (CLAY
MARTIN BURT)**

S261005 B291147 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ROONEY
(JOSEPH WILLIAM)**

S261006 B281406 Second Appellate District, Div. 7

Petition for review denied

**SMOLKER (GARY) v. W.R.
GRACE & CO.**

S261014 H044945 Sixth Appellate District

Petition for review denied

**PEOPLE v. PETTIS
(MICHAEL EARL)**

S261038 B298165 Second Appellate District, Div. 6

Petition for review denied

**MURRAY (CLAY MARTIN
BURT) ON H.C.**

S261048 E074430 Fourth Appellate District, Div. 2

Petition for review denied

**SAN JACINTO, CITY OF v.
S.C. (PRUDENCIO)**

S261053 A159728 First Appellate District, Div. 5

Petition for review denied

**RODRIGUEZ (LESLIE) v. S.C.
(ALAMEDA COUNTY JAIL
OF SANTA RITA)**

S261062 C085354 Third Appellate District

Petition for review denied

PEOPLE v. TITMAN (JAMES)

S261066 B296480 Second Appellate District, Div. 6

Petition for review denied

**JONES (CRAIG DWAYNE)
ON H.C.**

S261084 C081972 Third Appellate District

Petition for review denied

**PEOPLE v. WILMER, JR.,
(CHRISTOPHER DEXTER)**

S261097 D076199 Fourth Appellate District, Div. 1 Petition for review denied	PEOPLE v. KHAN (SHAZAD MOHAMMAD)
S261107 E071464 Fourth Appellate District, Div. 2 Petition for review denied	PEOPLE v. VALADEZ (ANTHONY CIENFUEGOS)
S261144 B298230 Second Appellate District, Div. 8 The request for judicial notice is granted. The petition for review is denied.	JORDAN (ANTOINE DENELL) ON H.C.
S261243 H047699 Sixth Appellate District Petition for review denied	DAVIS (KENNARD LEE) ON H.C.
S261252 D075826 Fourth Appellate District, Div. 1 Petition for review & depublication request(s) denied	PEOPLE v. FLORES (FALLON LUPE)
S261278 E073835 Fourth Appellate District, Div. 2 The request for judicial notice is granted. The petition for review is denied.	GUTIERREZ (MICHAEL ANTHONY) ON H.C.
S261350 G056969 Fourth Appellate District, Div. 3 Petition for review denied	PEOPLE v. VIZCARRA (ANDRES)
S261357 A152964 First Appellate District, Div. 3 Petition for review denied	PEOPLE v. HERNANDEZ-HERNANDEZ (HECTOR ALONZO)

S261358 C090784 Third Appellate District
Petition for review denied

MASON (STANLEY) ON H.C.

S261367 B304635 Second Appellate District, Div. 2

Petition for review & application for stay denied

**NEW YORK MARINE &
GENERAL INSURANCE CO.
v. S.C. (FANCY CONTENT,
INC.)**

S261368 B295280 Second Appellate District, Div. 2

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

**PEOPLE v. BETMALECK
(MARK EDGAR)**

S261412 E070460 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TRIGEROS
(JOSEPH BURT)**

S261414 B304743 Second Appellate District, Div. 5

Petition for review denied

**GARY (REGINALD A.) ON
H.C.**

S261420 D074317 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DANIEL
(CHRISTINA)**

S261459 D077373 Fourth Appellate District, Div. 1

Petition for review denied

**THOMAS (KEITH PERZELL)
ON H.C.**

S261588

Petition for writ of mandate/prohibition denied

**WATERS (MICHAEL LYNN)
v. S.C. (PEOPLE)**

S257432**DOSSEY (JAY RYLAND) ON
H.C.**

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

S258293**LYLES (SCOTT) 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].)

S258613**KURBEGOVICH
(MUHAREM) 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 Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S258702**HARMON (DEVIN
MAURICE) ON H.C.**

Petition for writ of habeas corpus denied

S259147**POVADORA (ALBERT) ON
H.C.**

Petition for writ of habeas corpus denied

S259151**WHIPPLE (JAMES
RICHARD) ON H.C.**

Petition for writ of habeas corpus denied

S259270**OREILEY (DAKOTAH) 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 *People v. Raybon*, S256978.

S259565**DAWSON (KENNETH DEAN)
ON H.C.**

Petition for writ of habeas corpus denied

S259720

Petition for writ of habeas corpus denied

**ALMEDA (MICHAEL) ON
H.C.****S259810**

Petition for writ of habeas corpus denied

**BARNES (ROBERT
ANTONIO) ON H.C.****S259814**

Petition for writ of habeas corpus denied

**NELSON (FLOYD HILLS) ON
H.C.****S260031**

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*, S256149.

**ALVE (ALEJANDRO) ON
H.C.****S260038**

Petition for writ of habeas corpus denied

**OGILVIE (ANTHONY
WILLIAM) ON H.C.****S260052**

Petition for writ of habeas corpus denied

**ADAMS (DEREK
CHRISTOPHER) ON H.C.****S260057**

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]; *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].)

**HENDERSON (CARLTON
WILLIAM) ON H.C.****S260088**

Petition for writ of habeas corpus denied

**VICTORY (MICHAEL
ANTHONY) ON H.C.**

S260184

Petition for writ of habeas corpus denied

THAO (TOU C.) ON H.C.**S260235**

Petition for writ of habeas corpus denied

JOHN DOE I ON H.C.**S260239**

Petition for writ of habeas corpus denied

JOHN DOE II ON H.C.**S260358**

Petition for writ of habeas corpus denied

GARCIA (PETE BRIAN) ON H.C.**S260368**

Petition for writ of habeas corpus denied

BRUMFIELD (PAUL RANDOLF) ON H.C.**S260414****BLANCO (MICHAEL) 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 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].)

S260415

Petition for writ of habeas corpus denied

PARKER (ROY L.) ON H.C.**S260452****HERRING (DION ISAAC) ON H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable: (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]; *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].)

S260453

**AZEVEDO (ALEX
LEONARD) ON H.C.**

Petition for writ of habeas corpus denied

S260454

**WILLIAMS, JR., (CEDRIC
DALE) ON H.C.**

Petition for writ of habeas corpus denied

S260460

**McLAURIN (RUFUS
JONATHAN) 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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S260461

WATKINS (DAVID) 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].)

S260485

**AMMA (L. AMIR ANTHONY
VARICK) 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].)

S260496

**ESPINOSA (CUSTODIO) ON
H.C.**

Petition for writ of habeas corpus denied

S260505

**RAY, JR., (EDWARD
VINCENT) ON H.C.**

Petition for writ of habeas corpus denied

S260705 B298106 Second Appellate District, Div. 5 **IN RE P.G.**
Publication request denied (case closed)

S260799 B293881 Second Appellate District, Div. 8 **PEOPLE v. TAYLOR (ISAAC WILLIAM)**
Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied. The court declines to review this matter on its own motion. The matter is now final.

S261039 B295943 Second Appellate District, Div. 1 **DUNN (JULIA) v. GARFIELD BEACH CVS, LLC**
Publication requests denied (case closed)

S261043 B261814/B263950 Second Appellate District, Div. 1 **DANIEL (PIERRE) v. WAYANS (MARLON)**
Publication request denied (case closed)

S261074 G056427 Fourth Appellate District, Div. 3 **TUTTLE (GRANT) v. HEAVENLY VALLEY, L.P.**
Publication request denied (case closed)

S107900 **PEOPLE v. WRIGHT, JR., (WILLIAM LEE)**
Extension of time granted

Based upon Senior Deputy State Public Defender Alison Bernstein's representation that the supplemental appellant's reply brief is anticipated to be filed by August 25, 2020, an extension of time in which to serve and file that brief is granted to June 26, 2020. After that date, only one further extension totaling about 59 additional days is contemplated.

S146528**PEOPLE v. SNYDER
(JANEEN MARIE) &
THORNTON (MICHAEL
FORREST)**

Extension of time granted

Based upon counsel Tracy J. Dressner's representation that appellant Janeen Marie Snyder's opening brief is anticipated to be filed by December 24, 2020, an extension of time in which to serve and file that brief is granted to June 23, 2020. After that date, only three further extensions totaling about 183 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).)

S195828**PEOPLE v. VILLA
(RICARDO)**

Extension of time granted

Based upon counsel Stephen M. Lathrop's representation that the appellant's reply brief is anticipated to be filed by July 15, 2020, an extension of time in which to serve and file that brief is granted to June 22, 2020. After that date, only one further extension totaling about 24 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).)

S202630**PEOPLE v. BUTLER
(RAYMOND OSCAR)**

Extension of time granted

Based upon Supervising Deputy State Public Defender Ryan R. Davis's representation that the appellant's reply brief is anticipated to be filed by December 31, 2020, an extension of time in which to serve and file that brief is granted to June 30, 2020. After that date, only three further extensions totaling about 185 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).)

S206484**PEOPLE v. ESPINOZA
(PEDRO)**

Extension of time granted

Based upon counsel Debra S. Sabah Press's representation that the appellant's reply brief is anticipated to be filed by July 31, 2020, an extension of time in which to serve and file that brief is granted to June 26, 2020. After that date, only one further extension totaling about 34 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).)

S210054**PEOPLE v. CERVANTES
(DANIEL) & CONTRERAS
(CARLOS)**

Application to file over-length brief granted

Good cause appearing, appellant Daniel Cervantes's "Application for Leave to File Appellant's Opening Brief of No More Than 8000 words in Excess of Word Count Limit Established in Rule 8.630(b) of the California Rules of Court," filed on April 23, 2020, is granted. Appellant Cervantes's opening brief must not exceed 110,000 words.

S211060**PEOPLE v. GALVAN
(ROBERT)**

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 July 6, 2020.

S212030**PEOPLE v. PEREZ (JOHN
MICHAEL) & RUIZ (RUDY
ANTHONY)**

Extension of time granted

On application of appellant Rudy Ruiz, it is ordered that the time to serve and file appellant's opening brief is extended to June 29, 2020.

S212030**PEOPLE v. PEREZ (JOHN
MICHAEL) & RUIZ (RUDY
ANTHONY)**

Extension of time granted

On application of appellant John Michael Perez, it is ordered that the time to serve and file appellant's opening brief is extended to June 29, 2020.

S214846**SATELE (WILLIAM TUPUA)
ON H.C.**

Extension of time granted

Based upon counsel Robert M. Sanger's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 27, 2020, an extension of time in which to serve and file that document is granted to June 26, 2020. After that date, only one further extension totaling about 30 additional days is contemplated.

S216466**PEOPLE v. BALCOM (JASON
MICHAEL)**

Extension of time granted

Based upon counsel Stephen M. Lathrop's representation that the appellant's opening brief is anticipated to be filed by August 10, 2020, an extension of time in which to serve and file that brief is granted to June 26, 2020. After that date, only one further extension totaling about 44 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).)

S219152**PEOPLE v. NISSENSOHN
(JOSEPH MICHAEL)**

Extension of time granted

Based upon counsel Mark D. Greenberg's representation that the appellant's opening brief is anticipated to be filed by August 1, 2020, an extension of time in which to serve and file that brief is granted to June 29, 2020. After that date, only one further extension totaling about 34 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).)

S231558**PEOPLE v. NEALY (EDDIE RICKY)**

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 22, 2020.

S256659 B268380/B271185 Second Appellate District, Div. 8 **HAN (SUNNIE H.) v. HALLBERG, JR., (RICHARD)**

Extension of time granted

On application of plaintiffs and appellants and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to May 27, 2020.

S258912 A152748 First Appellate District, Div. 1 **LOPEZ (RICO RICARDO) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 29, 2020.
No further extensions are contemplated.

S259215 D072863 Fourth Appellate District, Div. 1 **McHUGH (BLAKELY) v. PROTECTIVE LIFE INSURANCE**

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 29, 2020. No further extensions are contemplated.

S259216 B280550 Second Appellate District, Div. 7 **BROWN (YAZMIN) v. USA TAEKWONDO**

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 15, 2020. No further extensions of time are contemplated.

S259523 A150863 First Appellate District, Div. 3

**HANDOUSH (ZEAAD) v.
LEASE FINANCE GROUP,
LLC**

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 June 25, 2020.

S260063 C077558 Third Appellate District

**PEOPLE v. CARNEY (JAMES
LEO)**

Extension of time granted

On application of appellants Lonnie Orlando and Louis James Mitchell and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 26, 2020.

S261007 A153511 First Appellate District, Div. 2

**JENSEN (GARTH) v.
iSHARES TRUST**

Extension of time granted

On application of plaintiffs and appellants and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to May 11, 2020.

S261509 B304779 Second Appellate District, Div. 8

**SPENGLER (MICHAEL R.) v.
S.C. (PEOPLE)**

Extension of time granted

On application of petitioner 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, 2020.

S259969

**PEOPLE v. SAHINIAN
(EDWARD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Megan Hailey-Dunsheath is hereby appointed to represent appellant on the appeal now pending in this court.

S260598 B295998 Second Appellate District, Div. 1 **PEOPLE v. LEWIS (VINCE E.)**
Counsel appointment order filed

Upon request of appellant for appointment of counsel, Robert Bacon is hereby appointed to represent appellant on the appeal now pending in this court.
Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S098318 **PEOPLE v. HENDERSON**
(PAUL NATHAN)

Motion for judicial notice granted

Respondent Attorney General's request to take judicial notice filed on March 21, 2013, is granted. Appellant Paul Nathan Henderson's request to take judicial notice filed on July 1, 2014, is denied. Appellant's request to take judicial notice filed on April 3, 2020, is granted as to Exhibit A only, the death certificate of Thomas Newton Douglass, Jr.. The remainder of the request is denied.

S101247 **PEOPLE v. VARGAS**
(EDUARDO DAVID)

Motion denied

The request to file an Application for Permission to File Overlength Appellant's Supplemental Opening Brief is denied.

S252915 C082664 Third Appellate District **WILDE (LESLIE T.) v. CITY**
OF DUNSMUIR

Order filed

The request of respondents to allocate to amici curiae the Association of California Water Agencies, California Association of Sanitation Agencies, California State Association of Counties, California Special Districts Association, and League of California Cities 20 minutes of respondents' 30-minute allotted time for oral argument is granted.

S261836 A159949 First Appellate District, Div. 2 **HOWERTON (JEFFREY) v.**
S.C. (SAN FRANCISCO
DISTRICT ATTORNEY)

Request for accommodations per Rule 1.100 denied

S261842**HOWERTON (JEFFREY) v.
S.C. (SAN FRANCISCO
DISTRICT ATTORNEY)**

Request for accommodations per Rule 1.100 denied

S261741**H. (K.) v. S.C. (SACRAMENTO
COUNTY DEPARTMENT OF
CHILD, FAMILY & ADULT
SERVICES)**

Transferred to Court of Appeal, Third Appellate District

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

S261755**DICKSON (WILLIAM) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S260893**ACCUSATION OF GRIFFIN**

Petition denied (accusation)

S261276**ACCUSATION OF NAJLE-
RAHIM**

Petition denied (accusation)

S261427**ACCUSATION OF
ESCAMILLA**

Petition denied (accusation)

S261428**ACCUSATION OF DUBUNI**

Petition denied (accusation)

S260900**RODRIGUEZ ON
DISCIPLINE**

Recommended discipline imposed

The court orders that PATRICIA RENEE RODRIGUEZ (Respondent), State Bar Number 270639, 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 30 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 13, 2020 and as modified on February 14, 2020; 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 13, 2020, and as modified on February 14, 2020. 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.

S260901**SALOMON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROBERT MICHAEL SALOMON (Respondent), State Bar Number 194660, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent 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.

S260902**PARTINGTON ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that EARLE ARTHUR PARTINGTON (Respondent), State Bar Number 45731, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

S256601**BHARDWAJ ON DISCIPLINE**

Request for rehearing of State Bar discipline denied – SANJAY BHARDWAJ

The Motion for a New Trial and/or Alternative Relief filed January 16, 2020, is denied.

The clerk of this court is directed to file the Motion to Dismiss submitted to this court on July 3, 2019. The Motion to Dismiss is denied.

The Petition for Rehearing is denied.

S261863**KRETZ ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NANCY LOU KRETZ, State Bar Number 212367, as an attorney of the State Bar of California is accepted.

S261864**LEE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANNE W. LEE, State Bar Number 234498, as an attorney of the State Bar of California is accepted.

S261865**LOPER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRUCE P. LOPER, State Bar Number 66632, as an attorney of the State Bar of California is accepted.

S261867**LOVE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVIA MARJORIE LOVE, State Bar Number 77231, as an attorney of the State Bar of California is accepted.

S261869**MARTINEAU ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARIE LENORE MARTINEAU, State Bar Number 109561, as an attorney of the State Bar of California is accepted.

S261871**MILLER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PATRICIA IRENE BONE MILLER, State Bar Number 184861, as an attorney of the State Bar of California is accepted.

S261873**MILLER, JR., ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RAYMOND ARTHUR MILLER, JR., State Bar Number 127212, as an attorney of the State Bar of California is accepted.

S261874**O'HARA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARGARET O'HARA, State Bar Number 79405, as an attorney of the State Bar of California is accepted.

S261877**OLDHAM ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NINA DAVIS OLDHAM, State Bar Number 99594, as an attorney of the State Bar of California is accepted.

S261878**RALPHS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JoANN M. RALPHS, State Bar Number 110166, as an attorney of the State Bar of California is accepted.

**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. 1,464)**

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.)

**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. 1,466)**

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.)



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
MAY 19 and 20, 2020**

Due to the COVID-19 coronavirus pandemic and related public health directives from state and local authorities, the procedures specified by Administrative Orders Nos. 2020-3-13 (Mar. 16, 2020) and 2020-03-27 (March 27, 2020) apply. Counsel will appear remotely and courtroom seating for the press will be strictly limited to achieve appropriate distancing. The public will continue to have access to argument via live-streaming on the judicial branch website: <http://www.courts.ca.gov/>.

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 19 and 20, 2020.

TUESDAY, MAY 19, 2020 — 9:00 A.M.

- (1) Jarman (Janice) v. HCR ManorCare, Inc., et al., S241431
- (2) Facebook, Inc. v. Superior Court of San Diego County (Lance Touchstone, Real Party in Interest), S245203
- (3) Kirzhner (Allen) v. Mercedes-Benz USA, LLC, S246444

1:30 P.M.

- (4) Robinson (Julius M.) v. Lewis (G.W.), S228137
- (5) Conservatorship of the Person of O.B., S254938
- (6) People v. Anderson (Vernon), S253227

WEDNESDAY, MAY 20, 2020 — 9:00 A.M.

- (7) People v. Henderson (Paul Nathan), [Automatic Appeal], S098318
- (8) People v. Silveria (Daniel Todd) and Travis (John Raymond), [Automatic Appeal], S062417
- (9) People v. Suarez (Arturo Juarez), [Automatic Appeal], S105876
(To be called and continued to a future oral argument calendar.)

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).)