

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 14, 2019
SAN FRANCISCO, CALIFORNIA**

S256665 E069671 Fourth Appellate District, Div. 2 **SHALABI (LUIS
ALEXANDRO) v. CITY OF
FONTANA**

Petition for review granted

The petition for review is granted. The issue to be briefed and argued is limited to the following: Code of Civil Procedure section 12 provides: “The time in which any act provided by law is to be done is computed by excluding the first day, and including the last, unless the last day is a holiday, and then it is also excluded.” In cases where the statute of limitations is tolled, is the first day after tolling ends included or excluded in calculating whether an action is timely filed?
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S243805 **FRLEKIN (AMANDA) v.
APPLE, INC.**

Supplemental briefing ordered

This court agreed to decide a question of California law in this matter on September 20, 2017. Pursuant to California Rules of Court, rule 8.548(f)(5), the certified question accepted from United States Court of Appeals for the Ninth Circuit is restated as follows: Is time spent on the employer’s premises waiting for, and undergoing, required exit searches of packages, bags, or personal technology devices voluntarily brought to work purely for personal convenience by employees compensable as “hours worked” within the meaning of California Industrial Welfare Commission Wage Order No. 7? The parties may serve and file supplemental briefs addressing the above question on or before August 28, 2019. Amici curiae may also serve and apply to file supplemental briefs addressing the above question on or before August 28, 2019. Any reply by the parties to the supplemental briefs, or to any brief by amicus curiae, must be served and filed on or before September 11, 2019.
Chin, J., was recused and did not participate.

S245203 D072171 Fourth Appellate District, Div. 1 **FACEBOOK, INC. v. S.C.
(TOUCHSTONE)**

Supplemental briefing ordered

Having received and considered the parties’ briefs in response to this court’s order of July 10, 2019, endorsing or acquiescing in the prospect of this court taking judicial notice and unsealing,

we hereby:

(1) Take judicial notice of the underlying preliminary hearing transcript of September 29, 2016, and related exhibits. (Evid. Code, §§ 459, subd. (c), & 455, subd. (a).)

(2)(a) As to the parties, unseal the entirety of the April 21, 2017, declaration and all related exhibits, which in turn quote from and present copies of public social media posts and conditionally confidential probation reports. (Cal. Rules of Court, rule 8.46(f)(3).) This court's clerk's office is directed to transmit an electronic copy of that full declaration and all exhibits to the parties. (b) As to all others, the passages of the declaration and related exhibits that quote from and present copies of the public social media posts are unsealed; but the passages of the declaration and related exhibit that quote from and present copies of the probation reports are and remain sealed.

In light of the above actions, and consistently with our July 10, 2019, order, the parties are directed to serve and file briefs addressing (A) whether the underlying subpoena is supported by good cause, and (B) whether the trial court's denial of the motion to quash the subpoena should be vacated and the matter remanded to the Court of Appeal with directions to remand to the trial court for further proceedings regarding the motion to quash. The parties are also free to discuss what other disposition might be appropriate.

In addressing the good cause question, the parties are to specifically consider, among any other relevant good cause factors: (i) whether in light of the preliminary hearing transcript and related exhibits, and the above-referenced declaration and exhibits, defendant's subpoena seeking all of Jeffrey Renteria's private messages and restricted social media communications is supported by a "plausible justification" to acquire those documents; (ii) whether the request for all of Renteria's Facebook communications from inception of his account to March 16, 2017, is overbroad; (iii) whether, under these circumstances, defendant made adequate efforts to locate and subpoena Renteria (or others) directly and attempt to acquire the communications from him (or them) instead of resorting in the first instance to Facebook; and (iv) whether, under these circumstances, Renteria's privacy or constitutional rights would be impaired or violated by enforcement of the underlying subpoena, or a subpoena served on him.

Each party shall serve and file an initial brief by September 4, 2019. Any party may serve and file a response brief within 21 days of the timely filing of the above-described briefs. Thereafter, any amicus curiae may serve and apply to file a brief within 14 days of the timely filing of the above-described response briefs. Finally, each party may file a response brief within 14 days of the timely filing of any amicus curiae brief.

S256060

D073692 Fourth Appellate District, Div. 1

**PEOPLE v. McDANIELS
(JOSHUA)**

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.

S256070 D074100 Fourth Appellate District, Div. 1 **PEOPLE v. PASCUAL
(CLARIZA)**

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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S256098 B290330 Second Appellate District, Div. 6 **IN RE C.S.**

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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S256113 D074157 Fourth Appellate District, Div. 1 **PEOPLE v. CAWKWELL
(RENNARD)**

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.

S256158 D073891 Fourth Appellate District, Div. 1 **PEOPLE v. STATIRAS
(PERICLES TERRANCE)**

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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S256300 G055492 Fourth Appellate District, Div. 3**PEOPLE v. ESCALERA
(HERIBERTO CONTRERAS)**

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. Aledamat*, S248105 (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.

S256360 E069051 Fourth Appellate District, Div. 2**PEOPLE v. COVARRUBIAS
(JOSEPH JOHN)**

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. Aledamat*, S248105 (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.

S256584 B289422 Second Appellate District, Div. 3**PEOPLE v. O'NEAL, SR.,
(MICHAEL)**

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. Jimenez*, S249397 (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.

S256647 E069524 Fourth Appellate District, Div. 2**PEOPLE v. MAGALLON
(MIGUEL ANGEL)**

Petition for review granted; briefing deferred

The People's 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. Defendant's petition for review is denied.

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

S256720 A155535 First Appellate District, Div. 2 **IN RE RICHARD V.**
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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S256790 C086134 Third Appellate District **PEOPLE v. CRAVENS**
Petition for review granted; briefing deferred **(RANDALL TYLER)**

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.

S256810 A153524/A154186 First Appellate District, Div. 1 **IN RE ERIC B.**
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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

S256825 B289806 Second Appellate District, Div. 5 **PEOPLE v. MEEKS**
Petition for review granted; briefing deferred **(PATRICK D.)**

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.

S256157 G057733 Fourth Appellate District, Div. 3 **PENUELAS (SAUL) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying the petition for writ of mandate and to issue an order directing the respondent superior court to show cause why the relief sought in the petition should not be granted.

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

S256215 H045500 Sixth Appellate District **PEOPLE v. ALVARADO (FABIAN)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S256504 F079256 Fifth Appellate District **HERNANDEZ (DAVIE) v. S.C. (PFIEFFER)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District, with directions to issue an alternative writ

The Attorney General's motion for judicial notice is granted.

The petition for review is granted. The matter is transferred to the Fifth District Court of Appeal with directions to vacate its June 5, 2019, order denying mandate/prohibition and to issue an alternative writ (see Attorney General's Concession, filed Jul. 15, 2019, at pp. 7-10, with respect to petitioner's Proposition 57 claim; see also *People v. Superior Court (Lara)* (2018) 4 Cal.5th 299, 310).

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

S252018 **PEOPLE v. URDIALES (ANDREW)**

Appeal abated

As indicated in a certified copy of a certificate of death, appellant Andrew Urdiales died on November 3, 2018. Accordingly, the "Motion to Abate Automatic Appeal," filed by respondent on July 15, 2019, is granted. The appeal in *People v. Andrew Urdiales*, case no. S252018, is permanently abated, and the Superior Court of California, County of Orange is directed to enter

an order to that effect in case no. 09ZF0079. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.).

S255851 B284957 Second Appellate District, Div. 7 **PEOPLE v. DELGADO**
(JESSE)

Petition for review denied

S255852 A151420 First Appellate District, Div. 1 **PEOPLE v. BETIWAN**
(EMETERIO TICAR)

Petition for review denied

S255871 B283284 Second Appellate District, Div. 1 **PEOPLE v. LATSCHA**
(RUDY)

Petition for review denied

S255930 B279122 Second Appellate District, Div. 2 **PEOPLE v. GARCIA**
(JAVIER)

Petitions for review denied

Defendant Garcia's "motion for stay or leave" is denied as moot.

S255972 F077206/F077493 Fifth Appellate District **SWITZER (TED) v. WOOD II**
(ROBERT CLARK "SONNY")

Petition for review denied

S256032 B287803 Second Appellate District, Div. 5 **IN RE STEVE M.**
Petition for review denied

S256035 B293216 Second Appellate District, Div. 2 **ROBINSON, JR., (JAMES) ON**
H.C.

Petition for review & depublication request(s) denied

S256055 H044841 Sixth Appellate District **PEOPLE v. HOSTIA**
(MICHAEL)

Petition for review denied

S256057 D074491 Fourth Appellate District, Div. 1
Petition for review denied

IN RE ERIC M.

S256059 B287696 Second Appellate District, Div. 6

Petition for review denied

**VASQUEZ (ANTONIA) v. SAN
MIGUEL PRODUCE, INC.
(EMPLOYER'S DEPOT, INC.)**

S256061 C089394 Third Appellate District
Petition for review denied
The request for judicial notice is granted.
Cantil-Sakauye, C. J., was recused and did not participate.

PRACH (VANNAK) ON H.C.

S256085 C086802 Third Appellate District
Petition for review denied

IN RE I.M.

S256096 B282679 Second Appellate District, Div. 2

Petition for review denied

**LEIZEROVITZ (MICHAEL) v.
DENTAL BOARD OF
CALIFORNIA**

S256104 B279221 Second Appellate District, Div. 4
Petitions for review denied

PEOPLE v. MORRIS (ULIS)

S256108 B289385 Second Appellate District, Div. 6

Petition for review denied
Corrigan, J., is of the opinion the petition should be granted.

**PEOPLE v. GONZALES
(RUBEN MATTHEW)**

S256111 C087349 Third Appellate District

Petition for review denied

**HARRIS (BOBBY) v. CITY OF
WOODLAND (YOLO
RESIDENTIAL INVESTORS,
LLC)**

S256151 B286783 Second Appellate District, Div. 5

Petition for review denied

**SHAH (FURHAN) v. ROSS
(MICHAEL)**

S256190 B285998 Second Appellate District, Div. 2

Petition for review & publication request(s) denied

**BLASDELL (JASON) v.
SPACE EXPLORATION
TECHNOLOGIES, CORP.**

S256191 G056522 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. RAMIREZ (LUIS
ALBERTO)**

S256200 B293528 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. WRIGHT (DEVIN)

S256220 F079137 Fifth Appellate District

Petition for review denied

**JIMENEZ-RAMIREZ
(ANGELA) v. S.C. (PEOPLE)**

S256221 A152171 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. McGRAW
(DENNIS)**

S256230 D074573 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. JACKS (LARRY
LEE)**

S256234 B288123 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. MAGANA (JESUS)

S256236 G055187 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BOLDING
(JEDADIAH RAY)**

S256242 A155009 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUILLARMOD
(PETER)**

S256245 C086550 Third Appellate District

Petition for review denied

**PEOPLE v. ACCREDITED
SURETY & CASUALTY
COMPANY**

S256247 H045740 Sixth Appellate District

Petition for review denied

**PEOPLE v. ABELA (KERRY
SHANE)**

S256252 H045723 Sixth Appellate District

Petition for review denied

**PEOPLE v. ABELA (KERRY
SHANE)**

S256254 B292059 Second Appellate District, Div. 7
Petition for review denied

IN RE JAYDEN B.

S256256 C086471 Third Appellate District

Petition for review denied

**PEOPLE v. BATES (DAVID
RICHARD)**

S256267 E068801 Fourth Appellate District, Div. 2
Petition for review denied

WHITE (GREGORY) ON H.C.

S256281 A149394 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. JOHNSON
(TYRONE)**

S256285 B287107/B289122 Second Appellate District, Div. 4
Petitions for review denied

**PEOPLE v. MONROE
(ANTOINE JAQUES)**

S256286	E069473 Fourth Appellate District, Div. 2	PEOPLE v. FRANCO (TONY ANTONIO)
Petition for review denied		
S256297	H044128 Sixth Appellate District	PEOPLE v. LEMA (CHRISTOPHER)
Petition for review denied		
S256302	D075537 Fourth Appellate District, Div. 1	BAUMAN (JORDANA) v. WELLS FARGO BANK, N.A.
Petition for review denied		
S256310	B287190 Second Appellate District, Div. 1	McFADDEN (MARY) v. LOS ANGELES COUNTY TREASURER & TAX COLLECTOR
Petition for review & depublication request(s) denied		
S256313	H043478 Sixth Appellate District	FIELDS (TOMMIE) v. INTERIM INCORPORATED
Petition for review & publication request(s) denied		
S256329	C087066 Third Appellate District	PEOPLE v. VIBAT (RODWIN YAMSONE)
Petition for review denied		
S256335	A155121 First Appellate District, Div. 1	PEOPLE v. HOLLINGSWORTH (LEONARD)
Petition for review denied		
S256347	F078786 Fifth Appellate District	GARCIA (GUILLERMO) v. LACEY (B.A.)
Petition for review denied		

S256366 A154235 First Appellate District, Div. 3

Petition for review denied

**TIMLICK (LISA ARLENE) v.
NATIONAL ENTERPRISE
SYSTEMS, INC.**

S256381 G054496/G054534 Fourth Appellate District, Div. 3

Petition for review denied

**MERCURY INSURANCE
COMPANY v. LARA
(RICARDO); CONSUMER
WATCHDOG**

S256390 C086260 Third Appellate District

Petition for review denied

**AMALGAMATED TRANSIT
UNION, LOCAL 276 v. SAN
JOAQUIN REGIONAL
TRANSIT DISTRICT**

S256397 D075954 Fourth Appellate District, Div. 1

Petition for review denied

**PRICE (CRISPIN) v. S.C.
(PRICE)**

S256400 A151840 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LEONARD
(FREDERICK)**

S256417 A151425 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CHATMAN
(KEVIN MARCEL)**

S256425 B284218 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MESA (ANTHONY
RAUL)**

S256433 B161765 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. THOMAS (KEITH
PERZELL)**

S256434	B240461 Second Appellate District, Div. 3	PEOPLE v. THOMAS (KEITH P.)
Petition for review denied		
S256495	A156248 First Appellate District, Div. 4	DREVALEVA (TATYANA) v. DEPARTMENT OF INDUSTRIAL RELATIONS
Petition for review denied		
S256501	E072549 Fourth Appellate District, Div. 2	RODRIGUEZ (EDUARDO CHE) ON H.C.
Petition for review denied		
S256511	G055142/G055144 Fourth Appellate District, Div. 3	VOGELE (THOMAS A.) v. WILLIAMS (RICHARD D.)
Petition for review denied		
S256524	C086924 Third Appellate District	PEOPLE v. OLSEN (EDDIE EINAR)
Petition for review denied		
S256544	D073667 Fourth Appellate District, Div. 1	GEORGE (STEPHANIE) & DEAMON (DANIEL C.), MARRIAGE OF
Petition for review denied		
S256562	B291572 Second Appellate District, Div. 1	PEOPLE v. GONZALEZ (ELMER)
Petition for review denied		
S256574	A153361/A155225 First Appellate District, Div. 3	PEOPLE v. POWERS (ANTHONY MARCEL)
Petition for review denied		
S256593	B290119 Second Appellate District, Div. 4	PEOPLE v. GREY (SAMUEL HANK)

Petition for review denied

S256614 A155304 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ROBINSON
(DAVID ALLEN)**

S256616 E072499 Fourth Appellate District, Div. 2

Petition for review denied

**GARCIA (JEFFERY A.) ON
H.C.**

S256617 D074320 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CLARK II
(LVAUGHN)**

S256631 B284282 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARTINEZ
(MANUEL)**

S256632 E070242 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JOHNSON, JR.,
(LIONEL FREDRICK)**

S256633 B281864 Second Appellate District, Div. 4

Petition for review & depublication request(s) denied

**H. (B.) v. MANHATTAN
BEACH UNIFIED SCHOOL
DISTRICT**

S256638 G057494 Fourth Appellate District, Div. 3

Petition for review denied

**SUI (YAN) v. WELLS FARGO
BANK, N.A.**

S256640 C087042 Third Appellate District

Petition for review denied

**PEOPLE v. COMBS (RYAN
BRADY)**

S256656 A154199 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HITCHCOCK
(ROBERT WADE)**

S256660 D073522 Fourth Appellate District, Div. 1

Petition for review denied

The request for judicial notice is denied.

**CITIZENS OVERSIGHT, INC.
v. VU (MICHAEL)**

S256661 B289467 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SPELLS (ROBERT
JAMES)**

S256668 A152874 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. JOHNSON
(CHARLES WILLIAM)**

S256669 B290421 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. CORRAL (MARIA
VICTORIA)**

S256670 H044697 Sixth Appellate District

Petition for review denied

**LUTON (OLIVE W.) v.
WILLOW GLEN
APARTMENTS**

S256673

Petition for writ of mandate/prohibition denied

**SMITH (TIA) v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION TWO (IH4
PROPERTY WEST, LP)**

S256676 B288026 Second Appellate District, Div. 4

Petition for review denied

The request for judicial notice is denied.

**SALZMAN (GARY) v.
PHILLIPS (DAWN L.)**

S256677 C085563 Third Appellate District

Petition for review denied

**PEOPLE v. MATLOCK
(MICHAEL BRANDON)**

S256681 A153588/A156236 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LIGHTNER
(JAMES)**

S256684 B286698 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. ARMIJO
(RAMON)**

S256695 A147060 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. OSOTONU
(OSTON G.)**

S256700 D075951 Fourth Appellate District, Div. 1

Petition for review denied

THOMAS (KEITH) ON H.C.

S256707 B298082 Second Appellate District, Div. 4

Petition for review denied

IVY (JOHN L.) ON H.C.

S256709 B298566 Second Appellate District, Div. 8

Petition for review denied

**CC-PLANT FEE, LLC v. S.C.
(ENVAVE LOS ANGELES,
INC.)**

S256710 B298383 Second Appellate District, Div. 2

Petition for review denied

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

S256713 A154090 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. AVILES
(FRANCISCO)**

S256716 B278397/B279858 Second Appellate District, Div. 7 **MULTANI (AFSHAN) v. CASTLE GREEN HOMEOWNERS ASSOCIATION**

Petition for review denied

S256723 D073866 Fourth Appellate District, Div. 1 **PEOPLE v. TORRES (JOSE GUADALUPE)**

Petition for review denied

S256726 C084323 Third Appellate District **PEOPLE v. THOMAS (JAYONTAY)**

Petition for review denied

S256734 B283521 Second Appellate District, Div. 4 **PEOPLE v. RICHMOND (DETRICK PAUL)**

Petition for review denied

S256735 C084919 Third Appellate District **ROGERS (KENNETH) v. MASUDA (DONALD)**

Petition for review denied

S256743 H040977 Sixth Appellate District **SHAO (LINDA YI-TAI) & WANG (TSAN-KUEN), MARRIAGE OF**

Petition for review denied

S256744 A157618 First Appellate District, Div. 5 **ST-JOHN (EDMUND PHILIP) ON H.C.**

Petition for review denied

S256745 C086413 Third Appellate District **PEOPLE v. BROWN (TREVON DARRELL)**

Petition for review denied

S256748	B287916 Second Appellate District, Div. 3	PEOPLE v. LOPEZ (KENNETH)
Petition for review denied		
S256754	A148940/A150526 First Appellate District, Div. 4	HUGHES (LAURENCE S.) v. COUNTY OF HUMBOLDT
Petition for review denied		
S256755	C086301 Third Appellate District	PEOPLE v. ESCOTO (JUAN CARLOS)
Petition for review denied		
S256768	A152278 First Appellate District, Div. 2	PEOPLE v. VILLA (LUIS ADOLFO)
Petition for review denied		
S256774		CLARK III (CHARLES E.) v. S.C. (PEOPLE)
Petition for writ of mandate/prohibition & application for stay denied		
S256775	G055475 Fourth Appellate District, Div. 3	PEOPLE v. LOPEZ (GUILLERMO)
Petition for review denied		
S256778	C079164 Third Appellate District	BAUMWOHL (DAVID S.) v. JP MORGAN CHASE BANK, NATIONAL ASSOCIATION
Petition for review denied		
S256780	A152655 First Appellate District, Div. 1	PEOPLE v. PRADO- RODRIGUEZ (VINCENTE)
Petition for review denied		
S256783	D074865 Fourth Appellate District, Div. 1	IN RE ANAS T.
Petition for review denied		

S256785 B277637/B285308 Second Appellate District, Div. 8 **PCAM, LLC v. BALLY
TOTAL FITNESS OF
CALIFORNIA, INC.**

Petition for review denied

S256793 E072044 Fourth Appellate District, Div. 2 **IN RE K.S.**
Petition for review denied

S256800 A155473 First Appellate District, Div. 5 **IN RE A.W.**
Petition for review denied

S256803 D075079 Fourth Appellate District, Div. 1 **WILES (DESIREE) v.
JACKSON (WAYNE T.)**
Petition for review denied

S256804 C082107/C083534 Third Appellate District **PEOPLE v. FIGUEROA
(JOEL)**
Petition for review denied

S256809 B289309 Second Appellate District, Div. 2 **PEOPLE v. PIEPOLI II (JOHN
MICHAEL)**
Petition for review denied

S256812 D075363 Fourth Appellate District, Div. 1 **PEOPLE v. GONZALEZ
(CHRISTOPHER)**
Petition for review denied

S256819 H045837 Sixth Appellate District **IN RE J.B.**
Petition for review denied

S256820 E067257 Fourth Appellate District, Div. 2 **HARRIS (STEPHEN) v.
DIRECT LEGAL SUPPORT,
INC.**
Petition for review denied

S256829 G057932 Fourth Appellate District, Div. 3

Petition for review denied

**NGUYEN (HUY) v. S.C.
(ILWU-PMA WELFARE
PLAN)**

S256833 B298287 Second Appellate District, Div. 7

Petition for review denied

**SIMMONS (CARL DWAYNE)
v. S.C. (PEOPLE)**

S256841 A154840 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. GREEN (JUSTIN)

S256843 D073263 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MITCHELL
(SONNY)**

S256849 E071288 Fourth Appellate District, Div. 2

Application to transfer denied

**COTTON (ROBERT A.) v.
COUNTY OF SAN
BERNARDINO**

S256850 B285345 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. GADISON
(RAYSHON)**

S256857 F076854 Fifth Appellate District

Petition for review denied

**PEOPLE v. HERRERA
(LORENZO)**

S256865 H046222 Sixth Appellate District

Petition for review denied

IN RE T.C.

S256899 D075873 Fourth Appellate District, Div. 1

Petition for review denied

**JIMENEZ (VICTOR
MANUEL) ON H.C.**

S256904**WATERS (MICHAEL LYNN)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION THREE**

Petition for writ of mandate/prohibition denied

S256941 B293600 Second Appellate District, Div. 8
Petition for review & application for stay denied**Z. (JOSE) v. S.C. (PEOPLE)****S256962** B293612 Second Appellate District, Div. 8
Petition for review & application for stay denied**SANDOVAL (LUCIO) v. S.C.
(PEOPLE)****S257159** C089363 Third Appellate District**CANADY (MACANTHONY)
ON H.C.**

The petition for review is denied without prejudice in light of the pending reconsideration motion filed in the Court of Appeal on July 24, 2019.

S252111
Petition for writ of habeas corpus denied**KILGORE (IVAN) ON H.C.****S253886**
Petition for writ of habeas corpus denied**YOUNG (HOWARD ALLEN)
ON H.C.****S255239**
Petition for writ of habeas corpus denied**STUCKEY, JR., (ANDRE
KENNETH) ON H.C.****S255812**
Petition for writ of habeas corpus denied**WILSON (PETER) ON H.C.****S255883**
Petition for writ of habeas corpus denied**MEZA (BRAYAN MARTIN)
ON H.C.**

S255887**CHEEVES (DERON) ON H.C.**

Petition for writ of habeas corpus denied

S255888**JONES, JR., (HERNANDO)
ON H.C.**

Petition for writ of habeas corpus denied

S255890**JORDAN (ROBERT
STEWART) ON H.C.**

Petition for writ of habeas corpus denied

S255893**ELDER (COREY JEROME)
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 Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

S255898**SISNIEGA (PERCY R.) ON
H.C.**

Petition for writ of habeas corpus denied

S255899**DANG (CHANH MINH) ON
H.C.**

Petition for writ of habeas corpus denied

S255946**UMANA (MARIO ERNESTO)
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].) 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]; *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 Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations].)

S255950**TRUJILLO (AMADO REYES)
ON H.C.**

Petition for writ of habeas corpus denied

S255952**SAIF'ULLAH (KHALIFAH
E.D.) ON H.C.**

Petition for writ of habeas corpus denied

S255953**GALVAN (JAVIER J.) ON
H.C.**

Petition for writ of habeas corpus denied

S255954**COX (NICHOLAS ADAM) ON
H.C.**

Petition for writ of habeas corpus denied

S255973**JOHNSON, JR., (BILLY JOE)
ON H.C.**

Petition for writ of habeas corpus denied

S255976**GUERRERO (EDUARDO) 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].)

S255978**SHIGA (GREGORY YUSUKE)
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 Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S256002**COLEMAN (WESLEY JESS)
ON H.C.**

Petition for writ of habeas corpus denied

S256005

Petition for writ of habeas corpus denied

GIBBS (CLARENCE) ON H.C.

S256008

Petition for writ of habeas corpus denied

INMAN (RONALD J.) ON H.C.

S256015

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 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].)

SFERA (STEVE) ON H.C.

S256016

Petition for writ of habeas corpus denied

CARRERO (LUKE) ON H.C.

S256017

Petition for writ of habeas corpus denied

CHILDERS (CHRISTOPHER M.) ON H.C.

S256018

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].)

NATHAN (ERIC L.) ON H.C.

S256038

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].) 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].)

FITZGERALD (CONRAD LEONARD) ON H.C.

S256068**LINVILLE (MARTIN) ON
H.C.**

Petition for writ of habeas corpus denied

S256092**MAMMOTH (MICHAEL R.)
ON H.C.**

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

S256097**HARRINGTON (STEVE) ON
H.C.**

Petition for writ of habeas corpus denied

S256100**GARCIA (GEORGE
ISEQUIEL) 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 Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

S256110**MOORHEAD (JAMES) ON
H.C.**

Petition for writ of habeas corpus denied

S256357**SAMPLES, JR., (RICHARD
H.) ON H.C.**

Petition for writ of habeas corpus denied

S256506**WATERS (MICHAEL LYNN)
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].)

S255945

B285687 Second Appellate District, Div. 2

**DAAUS FUNDING, LLC v.
MIRONER (VADIM JEFF)**

Publication request denied (case closed)

S255949 D073829 Fourth Appellate District, Div. 1

**SAN DIEGO REGIONAL
CENTER v. OFFICE OF
ADMINISTRATIVE
HEARINGS (OAKLEY)**

Publication request denied (case closed)

S256106 E068889 Fourth Appellate District, Div. 2

**P. (DAISY & MARK),
MARRIAGE OF**

Publication request denied (case closed)
Kruger, J., was recused and did not participate.

S256177 B286285 Second Appellate District, Div. 6

**OLIVERA ST.
APARTMENTS, LLC v. CITY
OF GUADALUPE**

Publication request denied (case closed)

S237431

**PEOPLE v. WILLIAMS, JR.,
(DARNELL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Robert H. Derham is hereby appointed to represent appellant, Darnell Williams, Jr., for the direct appeal in the above automatic appeal now pending in this court.

S256039 E069960 Fourth Appellate District, Div. 2

**PEOPLE v. CROMER
(AARON RICHARD)**

Counsel appointment order filed

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

S082915

**PEOPLE v. EUBANKS
(SUSAN DIANNE)**

Motion for access to sealed record granted

Respondent's "Motion for Order Permitting Respondent to Access Sealed Documents and Lodge Those Documents Under Seal in Related Federal Habeas Matter with the United States District Court," filed on May 24, 2019, is granted. The Clerk is directed to provide respondent access to the materials filed under seal in the record on appeal in *People v. Eubanks*, S082915, pursuant to Penal Code section 987.9: Sealed Clerk's Transcript, Volume 53, pages 11814-11917.

Respondent is permitted to lodge the materials under seal in the federal district court. Respondent 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 Sealed Clerk's Transcripts," filed on May 23, 2019, is granted. The Clerk is directed to provide copies of the following to counsel for respondent: (1) Supplemental Clerk's Transcript III, Volume 1, pages 2G-2K; (2) Supplemental Clerk's Transcript IV, Volume 1, pages 7-10; and (3) sealed Reporter's Transcript Volume 3, pages 345-354.

S058472**PEOPLE v. BENNETT (ERIC
WAYNE)**

Order filed

Condemned inmate Eric Wayne Bennett's "Motion to Review Confidential and Under Seal Files," filed on May 3, 2019, is granted in part and denied in part as follows. Bennett's counsel, the Federal Public Defender for the Central District of California, is granted access to the record in *People v. Bennett* (S058472), except for the following sealed items: (1) "Juror Key"; (2) "Unredacted Sworn Juror Questionnaires"; (3) Sealed Clerk's Transcript pages 1413 & 1413-1 to 1413-9; (4) Sealed Clerk's Transcript pages 1499 & 1499-1; (5) Sealed Clerk's Transcript pages 1501 & 1501-1 to 1501-3; (6) Sealed Clerk's Transcript pages 1502 & 1502-1 to 1502-51; (7) Sealed Clerk's Transcript pages 1588 & 1588-1 to 1588-25; (8) Sealed Clerk's Transcript pages 581-588; and (9) Sealed Reporter's Transcript of March 8, 1996, pages 150-156. The denial of access as to items (1) through (7) is without prejudice to petitioning the superior court pursuant to section 237, subdivision (b) of the Code of Civil Procedure. Bennett's application is denied as unnecessary as to the record in *In re Eric Wayne Bennett on Habeas Corpus* (S159540), which does not contain any sealed or confidential documents.

Counsel 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. 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.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
SEPTEMBER 3 AND 4, 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 September 3 and 4, 2019.

TUESDAY, SEPTEMBER 3, 2019 — 9:00 A.M.

- (1) People v. Lopez (Maria Elena), S238627
- (2) People v. Rhoades (Robert Boyd), [Automatic Appeal], S082101
- (3) People v. Fayed (James Michael), [Automatic Appeal], S198132

1:30 P.M.

- (4) Wishnev (Sanford J.) v. The Northwestern Mutual Life Insurance Company, S246541
- (5) People v. Krebs (Rex Allan), [Automatic Appeal], S099439
- (6) People v. Johnson (Joe Edward), [Automatic Appeal], S029551

WEDNESDAY, SEPTEMBER 4, 2019 — 9:00 A.M.

- (7) People v. Liu (Si H), S248130
- (8) People v. Beck (James David) and Cruz (Gerald Dean), [Automatic Appeal], S029843

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).)