

**SUPREME COURT MINUTES
THURSDAY, AUGUST 23, 2018
SAN FRANCISCO, CALIFORNIA**

S232197 E063527 Fourth Appellate District, Div. 2 **KING (KIRK) v.
COMPPARTNERS, INC.**

Opinion filed: Affirmed in part, reversed in part

We affirm the Court of Appeal's judgment insofar as it affirmed the trial court's sustaining of the demurrer, but reverse its judgment insofar as it permitted the Kings to amend their complaint to bolster their claim that defendants are liable in tort for failure to warn. We remand the case to the Court of Appeal for further proceedings consistent with this opinion.

Majority Opinion by Kruger, J.

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

Concurring Opinion by Liu, J.

-- joined by Cuéllar, J.

Concurring Opinion by Cuéllar, J.

-- joined by Grover, J.*

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

S243042 H043426 Sixth Appellate District **MORGAN HILL, CITY OF v.
BUSHEY (SHANNON)/
(RIVER PARK
HOSPITALITY, INC.;
MORGAN HILL HOTEL
COALITION)**

Opinion filed: Judgment vacated

We vacate the judgment of the Court of Appeal and remand the case to the Court of Appeal with directions to remand to the trial court to address these questions.

Majority Opinion by Cuéllar, J.

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

Concurring Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J.

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

S249742 B278460 Second Appellate District, Div. 2 **PEOPLE v. COLLINS
(MARVIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 28, 2018.

S249783 F073524 Fifth Appellate District **PEOPLE v. HOLGUIN
(FELIPE ROMAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2018.

S249784 H043613 Sixth Appellate District **PEOPLE v. MILLER
(TIMOTHY J.)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2018.

S249878 H044307 Sixth Appellate District **PEOPLE v. JIMENEZ
(EDUARDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2018.

S249907 A146662 First Appellate District, Div. 1 **PEOPLE v. PERRY (JOEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 9, 2018.

S151172 **PEOPLE v. FORD (WAYNE
ADAM)**

Extension of time granted

Based upon counsel Mark E. Cutler's representation that the appellant's reply brief is anticipated to be filed by December 1, 2018, an extension of time in which to file that brief is granted to October 19, 2018. After that date, only one further extension totaling about 46 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).)

S174227 **PEOPLE v. GUERRERO
(JOSE)**

Extension of time granted

Based upon Deputy Attorney General Galen N. Farris's representation that the respondent's brief is anticipated to be filed by December 28, 2018, an extension of time in which to file that brief is granted to October 29, 2018. After that date, only one further extension totaling about 61 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).)

S186162

**PEOPLE v. MEJORADO
(JOSE SERGIO)**

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's application for extension of time is granted.

Based upon counsel Eric S. Multhaup's representation that the appellant's reply brief is anticipated to be filed by November 15, 2018, an extension of time in which to file that brief is granted to October 9, 2018. After that date, only one further extension totaling about 38 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).)

S203514

**PEOPLE v. HUGHES
(MICHAEL)**

Extension of time granted

Based upon Deputy Attorney General Ryan M. Smith's representation that the respondent's brief is anticipated to be filed by September 24, 2018, an extension of time in which to file that brief is granted to September 24, 2018. After that date, no further extension is contemplated.

S212477

**PEOPLE v. FRAZIER
(TRAVIS) & NOWLIN
(KENNETH LEE)**

Extension of time granted

On application of appellant Travis Frazier, it is ordered that the time to serve and file appellant's opening brief is extended to October 23, 2018.

S213242

**PEOPLE v. SMITH
(CHARLES RAY)**

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 October 29, 2018.

S220097

**PEOPLE v. WEST (ERRAN
LANE)**

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 October 23, 2018.

S224408

**PEOPLE v. RAMIREZ
(RICHARD RAYMOND)**

Extension of time granted

Based upon counsel Barry Morris's representation that the appellant's opening brief is anticipated to be filed by October 24, 2018, an extension of time in which to file that brief is granted to October 24, 2018. After that date, no further extension 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).)

S245996

D069751 Fourth Appellate District, Div. 1

**SAN DIEGANS FOR OPEN
GOVERNMENT v. PUBLIC
FACILITIES FINANCING
AUTHORITY OF THE CITY
OF SAN DIEGO**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to August 27, 2018.

S247266

A148606 First Appellate District, Div. 5

**CALIFORNIA SCHOOL
BOARDS ASSOCIATION v.
STATE OF CALIFORNIA**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to August 29, 2018.

S248702**WARD (CHARLES E.) v.
UNITED AIRLINES, INC.**

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 September 10, 2018.

S249886 A145863/A147385 First Appellate District, Div. 3 **DAUGHERTY (RAIN O.) v.
CITY & COUNTY OF SAN
FRANCISCO**

Extension of time granted

On application of respondent 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 August 30, 2018.

S248105 B282911 Second Appellate District, Div. 2 **PEOPLE v. ALEDAMAT
(YAZAN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Andrea Bitar 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 respondent's opening brief on the merits is filed.

S247074 D072981 Fourth Appellate District, Div. 1 **WEBB (BETTIE) ON H.C.**
Order filed

The application of petitioner for leave to file the proffered late answer brief on the merits is granted.