

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 29, 2018
SAN FRANCISCO, CALIFORNIA**

S234969**TROESTER (DOUGLAS) v.
STARBUCKS
CORPORATION**

Rehearing denied; opinion modified

**ORDER MODIFYING OPINION AND DENYING PETITION FOR REHEARING
THE COURT:**

The opinion herein is modified as follows:

The final paragraph of the opinion __ Cal.5th __ is modified to read:

We hold that the relevant California statutes and wage order have not incorporated the de minimis doctrine found in the FLSA. We further conclude that although California has a de minimis rule that is a background principle of state law, the rule is not applicable to the regularly reoccurring activities that are principally at issue here. The relevant statutes and wage order do not allow employers to require employees to routinely work for minutes off the clock without compensation. We leave open whether there are wage claims involving employee activities that are so irregular or brief in duration that employers may not be reasonably required to compensate employees for the time spent on them.

The petition for rehearing is denied.

S239397

F072310 Fifth Appellate District

**NATIONAL SHOOTING
SPORTS FOUNDATION, INC.
v. STATE OF CALIFORNIA**

Rehearing denied

S249593

A149918 First Appellate District, Div. 2

**REILLY (KERRIE) v. MARIN
HOUSING AUTHORITY**

The petition for review is granted.

The requests for an order directing depublication of the opinion are denied.

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

S249428

B283857 Second Appellate District, Div. 6

**PEOPLE v. VANNESSE
(ALEXANDER JEFFREY)**

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. Arredondo*, S233582 (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, and Kruger, JJ.

S249617 A147410 First Appellate District, Div. 2

**PEOPLE v. BROOKS
(JUSTIN)**

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. Calavano*, S242474 (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, and Kruger, JJ.

S250093 H042043 Sixth Appellate District

**PEOPLE v. CORTINAS
(MIGUEL)**

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. Orozco*, S249495 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S246964

**SHAMBLIN (SHELBY
GLENN) ON H.C.**

Order to show cause issued, returnable in Superior Court

The Attorney General's request that we take judicial notice of various trial court documents and the 1980 version of Government Code section 13967 is granted. The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Riverside County Superior Court, when the matter is ordered on calendar, why the imposition of a parole revocation fine pursuant to Penal Code section 1202.45 was authorized. (See the Attorney General's informal response filed in this court on June 8, 2018.) The return is to be filed on or before September 28, 2018.

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

S249487 D071904 Fourth Appellate District, Div. 1 **FIERRO (JORGE) v.
LANDRY’S RESTAURANT
INC.**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One

The petition for review is granted, and the matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *China Agritech, Inc. v. Resh* (2018) ___U.S.___ [138 S.Ct. 1800, 201 L.Ed.2d 123]. (Cal. Rules of Court, rule 8.528(d).)

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

S232861 G050259 Fourth Appellate District, Div. 3 **PEOPLE v. HOLLIMON
(ALFRED ALEXANDER)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

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

S236618 B266497 Second Appellate District, Div. 5 **PEOPLE v. McCAW
(MICHAEL G.)**

Transferred to Court of Appeal, Second Appellate District, Division Five, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

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

S238242 B261900 Second Appellate District, Div. 6 **PEOPLE v. SANTANA
(EDGAR)**

Transferred to Court of Appeal, Second Appellate District, Division Six, after hold

Review in the above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its decision and to reconsider the case in light of *People v. Superior Court (Lara)* (2018) 4 Cal.5th 299, 314 and Senate Bill No. 620, signed into law on October 11, 2017. The issue for which this court granted review in *People v. Padilla*, S239454, and *People v. Mendoza*, S238032, is rendered moot in the above-captioned matter in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(d).)

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

S238630 B265970 Second Appellate District, Div. 5 **PEOPLE v. LASTER
(JIMMIE)**

Transferred to Court of Appeal, Second Appellate District, Division Five, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

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

S238765 D068437 Fourth Appellate District, Div. 1 **PEOPLE v. JOHNSON
(DAVID LEONARD)**

Transferred to Court of Appeal, Fourth Appellate District, Division One, after hold

Review in the above-captioned matter, which was granted and held for *People v. Gallardo* (2017) 4 Cal.5th 120, is hereby dismissed (Cal. Rules of Court, rule 8.528(b)(1)).

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

S238962 D068311 Fourth Appellate District, Div. 1 **PEOPLE v. LEWIS (JERRETT
MARTELL)**

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(b).)

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

S239061 A142881 First Appellate District, Div. 4 **PEOPLE v. ESLAVA (MARIO)**
Transferred to Court of Appeal, First Appellate District, Division Four, after hold

The above-captioned matter is transferred to the Court of Appeal, First Appellate District, Division Four, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

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

S239323 A143724 First Appellate District, Div. 5 **PEOPLE v. MOFFETT
(ANDREW LAWRENCE)**

Transferred to Court of Appeal, First Appellate District, Division Five, after hold

The above-captioned matter is transferred to the Court of Appeal, First Appellate District, Division Five, for a determination of whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017. In the event that the Court of Appeal determines that the matter is not rendered moot, this order is without prejudice to defendant's right to petition this court for review of the issue on which this court granted review in *People v. Padilla*, S239454, and *People v. Mendoza*, S238032 on January 25, 2017 or any related issue. (Cal. Rules of Court, rule 8.528(d).)

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

S239442 B245657 Second Appellate District, Div. 8 **PEOPLE v. MERAZ (JUAN RAMON)**

Transferred to Court of Appeal, Second Appellate District, Division Eight, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, for a determination of whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017, and in the event that the Court of Appeal determines that the matter is not rendered moot, for reconsideration in light of *Montgomery v. Louisiana* (2016) 136 S.Ct. 718, 732-735. (Cal. Rules of Court, rule 8.528(d).)

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

S239701 F071824 Fifth Appellate District **PEOPLE v. SANCHEZ (LUIS ANTONIO)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, for a determination of whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017. In the event that the Court of Appeal determines that the matter is not rendered moot, this order is without prejudice to defendant's right to petition this court for review of the issue on which this court granted review in *People v. Padilla*, S239454, and *People v. Mendoza*, S238032 on January 25, 2017 or any related issue. (Cal. Rules of Court, rule 8.528(d).)

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

S240584 D069324 Fourth Appellate District, Div. 1 **PEOPLE v. WATSON (KHARY)**

Transferred to Court of Appeal, Fourth Appellate District, Division One, after hold

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, for a determination of whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017. In the event that the Court of Appeal determines that the matter is not rendered moot, this order is without prejudice to defendant's right to petition this court for review of the issue on which this court granted review in *People v. Padilla*, S239454, and *People v.*

Mendoza, S238032 on January 25, 2017 or any related issue. (Cal. Rules of Court, rule 8.528(d).)
 Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S242432 B261581 Second Appellate District, Div. 3 **PEOPLE v. VANTUINEN**
(DUANE A.)

Transferred to Court of Appeal, Second Appellate District, Division Three, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of *People v. Gallardo* (2017) 4 Cal.5th 120. (See Cal. Rules of Court, rule 8.528(d).)

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

S242660 F070609 Fifth Appellate District **PEOPLE v. MARQUEZ
(VICTOR ALEXANDER)**

Transferred to Court of Appeal, Fifth Appellate District, after hold

Review in the above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the case in light of *People v. Superior Court (Lara)* (2018) 4 Cal.5th 299, 314 and to consider whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017. In the event that the Court of Appeal determines that the matter is not rendered moot by Senate Bill No. 394, the Court of Appeal is directed to reconsider the case in light of *Montgomery v. Louisiana* (2016) 136 S.Ct. 718, 732-735. (Cal. Rules of Court, rule 8.528(d).)

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

S244138 B264853 Second Appellate District, Div. 3 **PEOPLE v. HODGE**
(RICHARD S.)

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. The matter is remanded to the Court of Appeal, Second Appellate District, Division Three, for further proceedings consistent with this order. (Cal. Rules of Court, rule 8.528(b).)

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

S245458 B270124 Second Appellate District, Div. 1 **PEOPLE v. SOEUR
(SAVOEUN)**

Transferred to Court of Appeal, Second Appellate District, Division One, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District,

Division One, for a determination of whether the matter is rendered moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(d).)

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

S245513 F071142 Fifth Appellate District **PEOPLE v. NAVARRA**
(BRITTANY)

Transferred to Court of Appeal, Fifth Appellate District, after hold

Review in the above-captioned matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and to reconsider the case in light of *People v. Superior Court (Lara)* (2018) 4 Cal.5th 299, 314. The issue for which this court granted review in *People v. Padilla*, S239454, and *People v. Mendoza*, S238032, is rendered moot in the above-captioned matter in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(d).)

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

S245809 B278462 Second Appellate District, Div. 7 **PEOPLE v. SHOWELL**
(FRANK J.)

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Seven

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(b).)

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

S245912 A144079 First Appellate District, Div. 4 **PEOPLE v. TABRON**
(JOSEPH DANIEL)

Transferred to Court of Appeal for the First Appellate District, Division Four, after hold

The above-entitled matter is transferred to the Court of Appeal for the First Appellate District, Division Four, for reconsideration in light of the decision in *People v. Gonzalez* (2018) 5 Cal.5th 186.

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

S246013 B278663 Second Appellate District, Div. 5 **PEOPLE v. LOZANO**
(ELIZABETH)

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(b).)

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

S246421 D071710 Fourth Appellate District, Div. 1 **PEOPLE v. CORDOVA**
(DAYANA)

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(b).)

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

S246588 B277715 Second Appellate District, Div. 4 **PEOPLE v. PADILLA**
(MARIO SALVADOR)

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. The matter is remanded to the Court of Appeal, Second Appellate District, Division Four, for further proceedings consistent with this order. (Cal. Rules of Court, rule 8.528(b).)

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

S247616 B277418 Second Appellate District, Div. 1 **PEOPLE v. McDUFFY**
(WAJUBA ZYMAAL)

Dismissed as moot

The above-captioned matter is dismissed as moot in light of Senate Bill No. 394, signed into law on October 11, 2017. (Cal. Rules of Court, rule 8.528(b).)

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

S241431 G051086 Fourth Appellate District, Div. 3 **JARMAN (JANICE) v. HCR**
MANORCARE, INC.

Notice filed: Bankruptcy stay lifted

The court is in receipt of a notice from appellant HCR ManorCare, Inc., that a “First Amended Chapter 11 Plan of Reorganization for HCR ManorCare, Inc.” was confirmed in the United States Bankruptcy Court for the District of Delaware, effective July 26, 2018. According to HCR ManorCare, Inc., as of that date, it is “no longer a debtor subject to the Bankruptcy Code, meaning that the automatic stay of proceedings pursuant to 11 U.S.C. § 362 is no longer in effect.” Pursuant to this court’s order of April 18, 2018, and based on the receipt of this notice, the suspension of the applicable time period of rule 8.520(a) of the California Rules of Court is hereby terminated, and the time period begins to run anew from the date of this order.

S249105 A144920 First Appellate District, Div. 5

**PEOPLE v. APOLINARIO
(MICHAEL A.)**

Petitions for review denied

S249453 D070982 Fourth Appellate District, Div. 1

**PEOPLE v. NEIGHBOUR
(CLARE LYLE)**

Petition for review denied

S249542 B290314 Second Appellate District, Div. 1

**SANDERS (PHILLIP C.) v.
S.C. (PEOPLE)**

Petition for review denied

The petition for review is denied without prejudice to filing a renewed discovery motion under Penal Code section 1054.9 in the superior court supported by sufficient documentation of petitioner's attempts to obtain the requested discovery from trial counsel and, if unsuccessful, from the Los Angeles County District Attorney. (See Pen. Code, § 1054.9, subd. (a); *Barnett v. Superior Court* (2010) 50 Cal.4th 890, 898-901; *In re Steele* (2004) 32 Cal.4th 682, 691-692.)

S249578 B286525 Second Appellate District, Div. 7

**DAVIS (THOMAS DARION) v.
APPELLATE DIVISION
(PEOPLE)**

Petition for review & depublication request(s) denied

S249592 H044215 Sixth Appellate District

**PEOPLE v. WALLIS (CRAIG
LOKEN)**

Petition for review denied

S249615 F073111 Fifth Appellate District

**PEOPLE v. ROMERO, JR.,
(ELOY)**

Petition for review denied

S249616 A144372 First Appellate District, Div. 2

**PEOPLE v. BROWN
(REGINALD)**

Petition for review denied

S249622 D072319 Fourth Appellate District, Div. 1

PEOPLE v. SOTO (ISRAEL)

Petition for review denied

S249623 B271373 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HOWARD
(JAMES)**

S249641 E070377 Fourth Appellate District, Div. 2

Petition for review denied

**JAMES (ANTOINE
DESHAWN) v. S.C. (PEOPLE)**

S249642 B269634 Second Appellate District, Div. 3

Petitions for review denied

**PEOPLE v. CHAVAC
(EDWARD AMILCAR)**

S249644 B275920 Second Appellate District, Div. 1

Petitions for review denied

**PEOPLE v. DOMINGUEZ
(JUAN BERNARD)**

S249659 B278013 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. JOSEPH
(JORDAN)**

S249675 F074965 Fifth Appellate District

Petition for review denied

**PEOPLE v. LOPEZ (JESUS
ALEJANDRO)**

S249676 A144550 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. WIESS
(CAMERON ALLEN)**

S249687 E067015 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FIGUEROA
(KRISTEN ALISA)**

S249696 C083032 Third Appellate District

Petition for review denied

Liu, J., is of the opinion the petition should be granted.

IN RE J.V.

S249744 B253197 Second Appellate District, Div. 2

The requests for judicial notice are granted.
The applications to appear as counsel pro hac vice are granted.
The petition for review is denied.

**IN RE TRANSIENT
OCCUPANCY TAX CASES**

S249748 G054383 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. RODRIGUEZ
(ENRIQUE)**

S249769 A146257 First Appellate District, Div. 4

Petition for review denied

**REMPELL (STEVEN) v.
HOFMANN (ROBERT
THEODORE)**

S249773 D072493 Fourth Appellate District, Div. 1

Petition for review denied

**REID (YVONNE) v. CITY OF
SAN DIEGO**

S249775 H043511 Sixth Appellate District

Petition for review denied

**PEOPLE v. BERG (ANDREW
MARSHALL)**

S249782 G055377 Fourth Appellate District, Div. 3

Petition for review denied

**MORGAN (THOMAS E.) v.
S.C. (SHURTLEFF)**

S249812 B280011 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ALIAHMAD
(MAZEN ADBALLAH)**

S249836 B284201 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ALAMILLO
(ALAN)**

S249843 B278429 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. SALGUERO
(FRANDER)**

S249866 A149145 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. FURLAN (MARC)

S249876 H044309 Sixth Appellate District

Petition for review denied

**PEOPLE v. GARCIA
(LORENZO)**

S249935 E070431 Fourth Appellate District, Div. 2

Petition for review denied

**YOUNG (ZURI S.K.) v. S.C.
(PEOPLE)**

S249952 D073198 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LAWRENCE, JR.,
(PATRICK NICHOLAS)**

S250019 C082646 Third Appellate District

Petition for review denied

**PEOPLE v. SMITH
(TIMOTHY JAMES)**

S250032 D072130 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. CARTE (ERIC)

S250064 B281618 Second Appellate District, Div. 4

Petition for review denied

**GONZALEZ (DAVID) v.
WELLS FARGO BANK, N.A.**

S250068 C086945 Third Appellate District

Petition for review denied

**SERRATOS III (BENJAMIN)
ON H.C.**

S250078 F073153 Fifth Appellate District

Petition for review denied

**MILLER (CHARLES
ANDERSON) v. BERNIE
(KEVIN F.)**

S250082 B282466 Second Appellate District, Div. 6

Petition for review denied

**VENTURA, COUNTY OF v.
CITY OF MOORPARK;
BROAD BEACH GEOLOGIC
HAZARD ABATEMENT
DISTRICT**

S250109 B282616 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. TRUJILLO (LUIS
ALFREDO)**

S250111 G053411 Fourth Appellate District, Div. 3

Petition for review denied

**WASSMANN (CAROL E.) v.
SOUTH ORANGE COUNTY
COMMUNITY COLLEGE
DISTRICT**

S250115 A148658 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ALLEN
(LAQUISHA)**

S250117 B283622 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. SERNA (DAVID)

S250118 B289270 Second Appellate District, Div. 4

Petition for review denied

**RAWLINS (TERRY) v. S.C.
(PEOPLE)**

S250120 H043462 Sixth Appellate District

Petition for review denied

**PEOPLE v. RUALIZO
(MELITON)**

S250127 B284300 Second Appellate District, Div. 4

Petition for review denied
Chin, J., was recused and did not participate.

**WORLD BUSINESS
ACADEMY v. CALIFORNIA
STATE LANDS
COMMISSION (PACIFIC GAS
& ELECTRIC COMPANY)**

S250128 D070945 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MONTANA
(MIKE)**

S250129 C083067 Third Appellate District

Petition for review denied

**PEOPLE v. FATTAL (KEVIN
GHASSAN)**

S250132 B290598 Second Appellate District, Div. 7

Petition for review denied

**AKMAKJIAN (JACK) v. S.C.
(SERSANSIE)**

S250134 F073680 Fifth Appellate District

Petition for review denied

**PEOPLE v. ROMERO
(ANGELITO AMANCIO)**

S250135

Petition for review denied

**GHOSH (RASH B.) v. CITY
OF BERKELEY**

S250136 A146413/A150004 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. FULLAM
(STEVEN FRANCIS)**

S250138 D072602 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WELLS (STEVEN
SCOTT)**

S250141 H045955 Sixth Appellate District

Petition for review denied

**RUSSELL (ROBERT GERRY)
ON H.C.**

S250148 E066311 Fourth Appellate District, Div. 2

Petition for review denied

**HAMILTON (BEVERLEY) v.
LOMA LINDA UNIVERSITY
MEDICAL CENTER**

S250153 A149776 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. PIERCE (JAMES
DEAN)**

S250157 B291039 Second Appellate District, Div. 5
Petition for review denied

BLANCO (NORMAN) ON H.C.

S250160 C077559 Third Appellate District

Petition for review denied

**LEOW (JEAN LEE CHOO) v.
GEORGETOWN DIVIDE
PUBLIC UTILITY DISTRICT**

S250175 A154732 First Appellate District, Div. 2

Petition for review denied

**HAMILTON-HAUSEY
(JERRY) ON H.C.**

S250176 B282687 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. JACKSON
(ELLIOT)**

S250187 C087470 Third Appellate District
Petition for review denied

GREEN (CHARLES) ON H.C.

S250194 E066714 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MARSHALL
(NATHANIEL ANTHONY)**

S250195 F073119 Fifth Appellate District
Petition for review denied

PEOPLE v. DUARTE (CESAR)

S250198 B281615 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. BAUTISTA
(ANDRE)**

S250214 C083049 Third Appellate District
Petition for review denied

**PEOPLE v. WHITE
(DARNELL LESHAWN)**

S250215 A154795 First Appellate District, Div. 4
Petition for review denied

YBARRA (JOSE) ON H.C.

S250217 B283887 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. FARRIS (RAY E.)

S250224 E061775 Fourth Appellate District, Div. 2
Petition for review denied

**MEEKS (NATASHA) v.
AUTOZONE, INC.**

S250237 B284214 Second Appellate District, Div. 2
Petition for review denied

**PEOPLE v. RICKMON
(ANDREI JOMAN)**

S250243 D072334 Fourth Appellate District, Div. 1
Petition for review denied

**KEALY (PATRICK) v.
JPMORGAN CHASE BANK,
N.A.**

S250245 C085056 Third Appellate District
Petition for review denied

**PEOPLE v. BROWN
(EMMANUEL DAVID)**

S250246**PEOPLE v. DANIELS
(MICHAEL J.)**

Petition for review denied

S250603**HSU (JOHN) v. S.C. (CITY OF
BERKELEY)**

Petition for review & application for stay denied

S244396**JENKINS, JR., (ROBERT
LEE) ON H.C.**

Petition for writ of habeas corpus denied

S244420**CHAVEZ (ROGER E.) ON
H.C.**Petition for writ of habeas corpus denied
Chin and Corrigan, JJ., were recused and did not participate.**S244443****FUQUA (KEVIN) ON H.C.**

Petition for writ of habeas corpus denied

S245038**LUGO (ESTEBAN) ON H.C.**

Petition for writ of habeas corpus denied

S245713**SISNEROS (JOSEPH
VINCENT) 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].)**S248053****JENSEN (JOSEF MICHAEL)
ON H.C.**

Petition for writ of habeas corpus denied

S248765**HULTMAN (PAUL J.) ON
H.C.**

Petition for writ of habeas corpus denied

S248791**JOHNSON (OSHAY LaMAR)
ON H.C.**

Petition for writ of habeas corpus denied

S248829**TILLMAN, JR., (LEEANDER)
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].)

S248830**PACE-WHITE (KIM) 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].)

S248831**PACE-WHITE (KIM) 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].)

S248843**CHAVEZ (JERRY ALBERT)
ON H.C.**

Petition for writ of habeas corpus denied

S248846**ROBINSON (DEANDRE) 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].)

S248848**MUSA (TARIQ I.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S248947

Petition for writ of habeas corpus denied

STEELMAN (JOHN) ON H.C.**S250229**

Petition for writ of habeas corpus denied

**GOODSON (WALTER GREG)
ON H.C.****S250238**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [claims where petitioner failed to exhaust available administrative remedies are denied].)

**MUSE, JR., (KENNETH
FLOYD) ON H.C.****S250684**

Petition for writ of habeas corpus & application for stay denied

**WILSON (MICHAEL GEARY)
ON H.C.****S249668**

A150675 First Appellate District, Div. 5

Publication request denied (case closed)

**CARBERRY (SHAUN) v.
KALTSCHMID (BONNIE)****S250930**

B285655 Second Appellate District, Div. 4

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

The time for ordering review on the court's own motion is hereby extended to October 23, 2018. (Cal. Rules of Court, rule 8.512(c).)

**AHMC HEALTHCARE, INC.
v. S.C. (LETONA)****S173784**

Extension of time granted

**PEOPLE v. OYLER
(RAYMOND LEE)**

Based upon counsel Michael Clough's representation that the appellant's reply brief is anticipated to be filed by October 27, 2018, an extension of time in which to file that brief is granted to October 29, 2018. After that date, no further extension will be granted.

S178464**PEOPLE v. MARTINEZ
(SANTIAGO)**

Extension of time granted

Based upon Deputy Attorney General Charles S. Lee's representation that the respondent's brief is anticipated to be filed by January 27, 2019, an extension of time in which to file that brief is granted to October 30, 2018. After that date, only two further extensions totaling about 88 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).)

S208354**PEOPLE v. HIRSCHFIELD
(RICHARD JOSEPH)**

Extension of time granted

Based upon counsel Mark D. Lenenberg's representation that the appellant's opening brief is anticipated to be filed by August 30, 2019, an extension of time in which to file that brief is granted to October 29, 2018. After that date, only five further extensions totaling about 305 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).)

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 November 5, 2018.

S247975

F074265 Fifth Appellate District

**BIG OAK
FLAT-GROVELAND
UNIFIED SCHOOL DISTRICT
v. S.C. (JANE DOE)**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 12, 2018.

S248095**HUFFMAN (JOHN) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to September 4, 2018.

S249397 B283858 Second Appellate District, Div. 6 **PEOPLE v. JIMENEZ
(MIGUEL ANGEL)**

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 September 21, 2018.

No further extensions are contemplated.

S249205 H043051 Sixth Appellate District **IN RE J.R.**
Counsel appointment order filed

Upon request of appellant for appointment of counsel, Eileen Manning-Villar is hereby appointed to represent appellant on the appeal now pending in this court.

S249262 D072269 Fourth Appellate District, Div. 1 **PEOPLE v. CARDENAS
(SANTIAGO)**

Counsel appointment order filed

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

S189373 **PEOPLE v. WILSON
(LESTER HARLAND)**

Motion denied

Appellant's "Motion for Stay of Restitution Fine," filed on March 8, 2018, is denied.

S244737 B272387 Second Appellate District, Div. 3 **MONTROSE CHEMICAL
CORPORATION OF
CALIFORNIA v. S.C.
(CANADIAN UNIVERSAL
INSURANCE COMPANY,
INC.)**

Order filed

The applications of petitioner Montrose Chemical Corporation of California to file an oversized

reply brief and consolidated reply brief on the merits, filed August 23, 2018, are hereby granted.

S250070

Petition denied

(accusation)

ACCUSATION OF GREEN**S250166**

Petition denied

(accusation)

**ACCUSATION OF
GREENLEE****S249910**

Petition for review denied; disbarred

WEITZ ON DISCIPLINE

The petition for review is denied.

The court orders that ANDREW MARK WEITZ, State Bar Number 129962, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ANDREW MARK WEITZ must make restitution to the following payees:

- (1) Frank Moore in the amount of \$14,700 plus 10 percent interest per year from March 7, 2014;
- (2) Jackie Nutting in the amount of \$14,750 plus 10 percent interest per year from December 13, 2014;
- (3) Cristina Ledesma-Jonathan in the amount of \$8,900 plus 10 percent interest per year from March 3, 2015;
- (4) Ivan Ochoa in the amount of \$18,000 plus 10 percent interest per year from February 26, 2015;
- (5) LuAnne Montilla in the amount of \$15,000 plus 10 percent interest per year from April 28, 2014;
- (6) LuAnne Montilla in the amount of \$9,750 plus 10 percent interest per year from July 3, 2014;
- (7) Jennifer Segura in the amount of \$14,700 plus 10 percent interest per year from September 13, 2013;
- (8) Ruben Orozco in the amount of \$15,000 plus 10 percent interest per year from January 21, 2014;
- (9) Michael Perez in the amount of \$18,500 plus 10 percent interest per year from February 1, 2015;
- (10) Gerolyn Howard in the amount of \$14,000 plus 10 percent interest per year from August 1, 2014;
- (11) Carolyn Watts in the amount of \$13,000 plus 10 percent interest per year from May 23, 2014;
- (12) Shone Harris and Danniell Howard in the amount of \$12,000 plus 10 percent interest per year from January 30, 2014;
- (13) Mazie Buckley in the amount of \$14,700 plus 10 percent interest per year from June 10,

2014;

- (14) Waynetta Williams in the amount of \$14,700 plus 10 percent interest per year from June 30, 2014;
- (15) Jose Alcaraz in the amount of \$6,500 plus 10 percent interest per year from July 1, 2015;
- (16) Alfonzo and Nadine Washington in the amount of \$14,700 plus 10 percent interest per year from October 24, 2014;
- (17) David and Kathryn Korengold in the amount of \$14,000 plus 10 percent interest per year from July 2, 2014; and
- (18) Nick Gritsonis in the amount of \$4,360 plus 10 percent interest per year from September 30, 2017.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

ANDREW MARK WEITZ 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.

**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. 1,381)**

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.)

G056721

Fourth Appellate District, Div. 3

**HOY (VALENTINE S.) v. HOY
(NANCY)**

The above-entitled matter, now pending in the Court of Appeal, Fourth Appellate District, is transferred from Division Three to Division One.