

**SUPREME COURT MINUTES
THURSDAY, DECEMBER 3, 2015
SAN FRANCISCO, CALIFORNIA**

S120583

**PEOPLE v. CAGE (MICKY
RAY)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

S216305

B239602 Second Appellate District, Div. 3

**QUESADA (MICHELLE) v.
HERB THYME FARMS, INC.**

Opinion filed: Judgment reversed

We reverse the Court of Appeal's judgment and remand for further proceedings not inconsistent with this opinion.

Majority Opinion by Werdegar, J.

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

S230230

A143228 First Appellate District, Div. 5

**SCOTT (RICKEY LEON) ON
H.C.**

Petition stricken (case closed)

The petition for review filed October 28, 2015, in the above-entitled matter is hereby stricken.

This court lost jurisdiction to act on any petition for review on November 15, 2014.

S119296

**PEOPLE v. BATTLE
(THOMAS LEE)**

Extension of time granted

Good cause appearing, and based upon State Public Defender Michael J. Hersek's representation that the appellant's reply brief is anticipated to be filed by January 18, 2016, counsel's request for an extension of time in which to file that brief is granted to January 19, 2016. After that date, no further extension is contemplated.

S121365**SNOW (PRENTICE JUAN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Roberta L. Davis's representation that the return to petition for writ of habeas corpus is anticipated to be filed by April 18, 2016, counsel's request for an extension of time in which to file that document is granted to January 29, 2016. After that date, only two further extensions totaling about 80 additional days are contemplated.

S135272**PEOPLE v. DWORAK
(DOUGLAS EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Diane Nichols's representation that the appellant's reply brief is anticipated to be filed by March 15, 2016, counsel's request for an extension of time in which to file that brief is granted to February 1, 2016. After that date, only one further extension totaling about 44 additional days will be granted.

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).)

S146939**PEOPLE v. CAPERS (LEE
SAMUEL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Donald W. Ostertag's representation that the respondent's brief is anticipated to be filed by April 6, 2016, counsel's request for an extension of time in which to file that brief is granted to February 2, 2016. After that date, only one further extension totaling about 63 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).)

S153881**PEOPLE v. RIVERA
(CUITLAHUAC TAHUA)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that the appellant's reply brief is anticipated to be filed by May 30, 2016, counsel's request for an extension of time in which to file that brief is granted to January 29, 2016. After that date, only two further extensions totaling about 122 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).)

S165894**PEOPLE v. PENUELAS
(JESUS GUADALUPE
VELAZQUEZ)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 5, 2016.

S171393**PEOPLE v. McDANIEL
(DONTÉ LAMONT)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Kathy S. Pomerantz's representation that the respondent's brief is anticipated to be filed by March 4, 2016, counsel's request for an extension of time in which to file that brief is granted to February 2, 2016. After that date, only one further extension totaling about 30 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).)

S173784**PEOPLE v. OYLER
(RAYMOND LEE)**

Extension of time granted

Good cause appearing, and based upon counsel Michael Clough's representation that the appellant's opening brief is anticipated to be filed by February 1, 2016, counsel's request for an extension of time in which to file that brief is granted to February 1, 2016. After that date, no further extension is contemplated.

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

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 5, 2016.

S180112**PEOPLE v. DANIELS, JR.,
(JACKSON CHAMBERS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 5, 2016.

S185810**PEOPLE v. THREATS
(DERLYN RAY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 8, 2016.

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

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 29, 2016.

S196185**PEOPLE v. MACIAS
(ARMANDO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 29, 2016.

S213911**HAWTHORNE, JR.,
(ANDERSON) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by January 27, 2016, counsel's request for an extension of time in which to file that document is granted to January 27, 2016. After that date, no further extension is contemplated.

S217299**HOYT (RYAN JAMES) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Miro F. Cizin's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 30, 2016, counsel's request for an extension of time in which to file that document is granted to February 5, 2016. After that date, only one further extension totaling about 57 additional days will be granted.

S221247**DELGADO (ANTHONY
GILBERT) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Tia M. Coronado's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 2, 2016, counsel's request for an extension of time in which to file that document is granted to February 2, 2016. After that date, only one further extension totaling about 60 additional days is contemplated.

S221958

E054056 Fourth Appellate District, Div. 2

**PEOPLE v. CANIZALES
(MICHAEL RAFAEL)**

Extension of time granted

On application of appellant Michael Canizales and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to January 4, 2016.

S222187**DANIELS (DAVID SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Christina Sandidge's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 7, 2016, counsel's request for an extension of time in which to file that document is granted to February 8, 2016. After that date, only five further extensions totaling about 272 additional days are contemplated.

S223425**COX (JOHN ALLEN) 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 reply to informal response is extended to December 14, 2015.

S226291**HARRIS (KAI) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Dana M. Ali's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 25, 2016, counsel's request for an extension of time in which to file that document is granted to February 5, 2016. After that date, only one further extension totaling about 48 additional days is contemplated.

S227106 B259392 Second Appellate District, Div. 3 **AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
SOUTHERN CALIFORNIA v.
S.C. (CITY OF LOS
ANGELES)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 26, 2016. No further extensions will be contemplated.

S227228 B259967 Second Appellate District, Div. 1 **WILLIAMS (MICHAEL) v.
S.C. (MARSHALLS OF CA,
LLC)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 16, 2016.

No further extensions will be granted.

S228642 E061754 Fourth Appellate District, Div. 2 **PEOPLE v. S.C. (MORALES)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 30, 2015.

No further extensions are contemplated.

S229111 **BELL (MICHAEL LEON) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General William K. Kim's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 11, 2016, counsel's request for an extension of time in which to file that document is granted to February 8, 2016. After that date, only three further extensions totaling about 155 additional days are contemplated.

S230566

B267774 Second Appellate District, Div. 2

**EVANS (DAWN THERESE) v.
S.C. (REGENTS OF THE
UNIVERSITY OF LOS
ANGELES)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to December 10, 2015.

S230687**BAR ADMISSION 2015 (JULY
EXAM)**

General Bar admission order filed

The written motion #1,232 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 as attorneys at law in all courts of the State of California upon their taking the prescribed oath before a competent officer on or after December 3, 2015, and within the time limits specified by Title 4, Division 1 of the Rules of the State Bar of California, is hereby granted:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

S229680**HARR ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KEVIN MICHAEL HARR, State Bar Number 149572, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KEVIN MICHAEL HARR must make restitution to Parastoo Farhoodi in the amount of \$68,763.33 plus 10 percent interest per year from May 6, 2013. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

KEVIN MICHAEL HARR 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.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
TUESDAY, JANUARY 5, 2016**

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 January 5, 2016.

TUESDAY, JANUARY 5, 2016 — 9:00 A.M.

- (1) Ardon (Estuardo) v. City of Los Angeles, S223876
- (2) Kilby (Nykeya) v. CVS Pharmacy, Inc., and Companion Case, S215614
- (3) Baltazar (Maribel) v. Forever 21, Inc. et al., S208345

1:30 P.M.

- (4) Desaulles (Maureen) v. Community Hospital of the Monterey Peninsula, S219236
- (5) People v. Rangel, Jr., (Pedro) [Automatic Appeal], S076785
- (6) People v. Juarez (Gerardo) et al., and Consolidated Case, S219889

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).)