

**SUPREME COURT MINUTES
MONDAY, DECEMBER 3, 2018
SAN FRANCISCO, CALIFORNIA**

S073823**PEOPLE v. BUENROSTRO
(DORA)**

Opinion filed: Conviction & special circumstances affirmed, penalty reversed

We affirm the judgment as to guilt, vacate two of the three multiple-murder special-circumstance findings, reverse the judgment as to the sentence of death, and remand the matter for a new penalty determination.

Majority Opinion by Kruger, J.

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

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

S140894**PEOPLE v. MIRACLE
(JOSHUA MARTIN)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Cantil-Sakauye, C. J.

— joined by Chin, Corrigan, Cuéllar, Kruger, and Ikola*, JJ.

Dissenting Opinion by Liu, J.

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

S251182

F074635 Fifth Appellate District

PEOPLE v. BEHILL (JESSE)

The time for granting or denying review in the above-entitled matter is hereby extended to January 7, 2019.

S251489

B278394 Second Appellate District, Div. 3

**GARRIDO (NORMAN
ESPINO) v. ROMEO (REGINA
W.)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 8, 2019.

S251797 G054139/G054846 Fourth Appellate District, Div. 3 **FUTURE DB
INTERNATIONAL, INC. v.
CITY OF IRVINE**

The time for granting or denying review in the above-entitled matter is hereby extended to January 7, 2019.

S251822 B280526 Second Appellate District, Div. 2 **SEROVA (VERA) v. SONY
MUSIC ENTERTAINMENT**

The time for granting or denying review in the above-entitled matter is hereby extended to January 7, 2019.

S251853 C079706 Third Appellate District **GASPAY (ANASTASIA) v.
ELSAIED (AHMED)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 10, 2019.

S251872 G055291 Fourth Appellate District, Div. 3 **PEOPLE v. STRAND
(CHRISTOPHER ALLEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 8, 2019.

S251919 H043453 Sixth Appellate District **PEOPLE v. STURK (SCOTT
CHARLES)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 10, 2019.

S251920 B280006 Second Appellate District, Div. 8 **FOSTER (JENNITA) v. OLD
REPUBLIC DEFAULT
MANAGEMENT SERVICES**

The time for granting or denying review in the above-entitled matter is hereby extended to January 9, 2019.

S251937 F073002 Fifth Appellate District **PEOPLE v. JOHNSON
(JAMES WILLIS)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 10, 2019.

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

Extension of time granted

On application of appellant Rudy Ruiz, it is ordered that the time to serve and file appellant's opening brief is extended to January 29, 2019.

S216791**PEOPLE v. CASTRO
(ROBERT GONZALES)**

Extension of time granted

Based upon counsel Christian C. Buckley's representation that the appellant's opening brief is anticipated to be filed by July 1, 2019, an extension of time in which to file that brief is granted to February 5, 2019. After that date, only three further extensions totaling about 145 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).)

S251362**PETERS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WENDELL DEAN PETERS (Respondent), State Bar Number 150132, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to John Wesley Hudson, or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$500 plus 10 percent interest per year from May 20, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S251363**BARDAKJIAN ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that NAREG L. BARDAKJIAN, a.k.a. NAREG LEVON BARDAKJIAN, State Bar Number 276240, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

NAREG L. BARDAKJIAN, a.k.a. NAREG LEVON BARDAKJIAN, 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.

S251577**KLEIER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LOREN NICHOLAS KLEIER (Respondent), State Bar Number 149591, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court:

- (1) Thomas Phillips in the amount of \$2,000 plus 10 percent interest per year from August 21, 2015;
- (2) Jose Serrano in the amount of \$2,500 plus 10 percent interest per year from August 7, 2015;
- (3) Vincent Foster in the amount of \$1,500 plus 10 percent interest per year from June 18, 2014;
- (4) Richard Ricards in the amount of \$2,500 plus 10 percent interest per year from January 16, 2015;
- (5) David Hayes in the amount of \$5,000 plus 10 percent interest per year from December 22, 2014; and
- (6) Darren O'Neil in the amount of \$3,500 plus 10 percent interest per year from October 5, 2014.

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

Respondent must also pay sanctions to the following:

- (1) Kern County Superior Court in the amount of \$1,000 as ordered on March 22, 2016, in case No. S1501FL605743, plus 10 percent interest per year from March 22, 2014;
- (2) Kern County Superior Court in the amount of \$1,000 as ordered on May 6, 2016, in case No. S151FL631216, plus 10 percent interest per year from May 6, 2016; and
- (3) Kern County Superior Court in the amount of \$1,000 as ordered on June 23, 2016, in case No. BFL-15-001787, plus 10 percent interest per year from June 23, 2016.

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S251578**GOSECO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that FRANK EDWARD GOSECO (Respondent), State Bar Number 132732, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S252307**ROSSITER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRITT JASON ROSSITER, State Bar Number 234289, as a member of the State Bar of California is accepted.

S252774**VANDENBERG ON
REIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RONALD A. VANDENBERG, State Bar Number 58523, as a member of the State Bar of California is accepted.

S252775**COLE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM CHARLES COLE, State Bar Number 155963, as a member of the State Bar of California is accepted.

S252776**McDOWALL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM DAVID McDOWALL, State Bar Number 26564, as a member of the State Bar of California is accepted.

S252777

ROSALES ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD ANTHONY ROSALES, State Bar Number 90018, as a member of the State Bar of California is accepted.

S252778

**SCHLEIFER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of REBECCA ANN SCHLEIFER, State Bar Number 185865, as a member of the State Bar of California is accepted.

S252779

COX ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of RAY NORMAN COX, State Bar Number 50332, as a member of the State Bar of California is accepted.

S252780

NGUYEN ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of HONG-YEN NGUYEN, State Bar Number 170958, as a member of the State Bar of California is accepted.

S252781

NOVELL ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of RAYMOND ARTHUR NOVELL, State Bar Number 67003, as a member of the State Bar of California is accepted.