

**SUPREME COURT MINUTES
TUESDAY, DECEMBER 8, 2015
SAN FRANCISCO, CALIFORNIA**

S230944 F072669 Fifth Appellate District

**PEOPLE v. COURT OF
APPEAL, FIFTH APPELLATE
DISTRICT (VILLALOBOS)**

Petition for writ of mandate/prohibition & application for stay denied

S084292

**ROGERS (DAVID KEITH) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel's representation that the simultaneous exceptions and brief on the merits are anticipated to be filed by March 9, 2016, counsel's request for an extension of time in which to file those briefs are granted to February 8, 2016. After that date, only one extension of time totaling about 30 additional days is contemplated.

S182232

**PEOPLE v. EVANS
(CHRISTOPHER)**

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.

S184521

**PEOPLE v. DUNN (AARON
NORMAN)**

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 1, 2016.

S191587**ALEXANDER (ANDRE
STEPHEN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Ajay Kusnoor's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 13, 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 two further extensions totaling about 127 additional days are contemplated.

S214543**EDWARDS (ROBERT MARK)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Fred Renfroe's representation that the reply to informal response to the petition for writ of habeas corpus is anticipated to be filed by December 21, 2015, counsel's request for an extension of time in which to file that document is granted to December 21, 2015. After that date, no further extension will be granted.

S223799

H039679 Sixth Appellate District

**GOMEZ (PEDRO JESUS) v.
S.C. (PEOPLE)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to January 6, 2016.
No further extensions of time are contemplated.

S226036

B251810 Second Appellate District, Div. 6

**SAN BUENAVENTURA, CITY
OF v. UNITED WATER
CONSERVATION DISTRICT**

Extension of time granted

The application of amicus curiae San Diego County Water Authority for relief from default is hereby granted.

On application of San Diego County Water Authority and good cause appearing, it is ordered that the time to serve and file its amicus curiae brief is hereby extended to December 11, 2015. (See Cal. Rules of Court, rule 8.520(f).)

S226753 A137680 First Appellate District, Div. 2

**CALIFORNIA BUILDING
INDUSTRY ASSOCIATION v.
STATE WATER RESOURCES
CONTROL BOARD**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to December 21, 2015.

S227270 F069419 Fifth Appellate District

**TRI-FANUCCHI FARMS v.
AGRICULTURAL LABOR
RELATIONS BOARD
(UNITED FARM WORKERS
OF AMERICA)**

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 15, 2016.

S227270 F069419 Fifth Appellate District

**TRI-FANUCCHI FARMS v.
AGRICULTURAL LABOR
RELATIONS BOARD
(UNITED FARM WORKERS
OF AMERICA)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 1, 2016.

S228193 D066684 Fourth Appellate District, Div. 1

**PEOPLE v. HOPSON
(RUTHETTA LOIS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 6, 2016.

S228258 D064986 Fourth Appellate District, Div. 1

**PEOPLE v. CORPENING
(TORY J.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 6, 2016.

S225454 B251262 Second Appellate District, Div. 1 **PEOPLE v. McCLOUD (IZAC)**
Counsel appointment order filed

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

S228554 B254370 Second Appellate District, Div. 1 **PEOPLE v. JONES
(DARNELL)**

Counsel appointment order filed

Upon request of appellant Darnell Jones for appointment of counsel, Charlotte Costan is hereby appointed to represent appellant on the appeal now pending in this court.

S228554 B254370 Second Appellate District, Div. 1 **PEOPLE v. JONES
(DARNELL)**

Counsel appointment order filed

Upon request of appellant Luis Torres for appointment of counsel, Janyce Blair is hereby appointed to represent appellant on the appeal now pending in this court.

S228964 B243201 Second Appellate District, Div. 8 **PEOPLE v. VIRTO (AGUSTIN
BERNARDO)**

Counsel appointment order filed

Upon request of appellant Rodrigo Sandoval for appointment of counsel, Robert Boyce is hereby appointed to represent appellant on the appeal now pending in this court.

S228964 B243201 Second Appellate District, Div. 8 **PEOPLE v. VIRTO (AGUSTIN
BERNARDO)**

Counsel appointment order filed

Upon request of appellant Edwin Zamora for appointment of counsel, Chris Redburn is hereby appointed to represent appellant on the appeal now pending in this court.

S229533 F067362 Fifth Appellate District **PEOPLE v. OWENS (CURTIS
JAMES)**

Counsel appointment order filed

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

S229552 D064736 Fourth Appellate District, Div. 1 **PEOPLE v. GREWELL
(WILLIAM HENRY)**

Counsel appointment order filed

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

S229573 D066551 Fourth Appellate District, Div. 1 **PEOPLE v. SARWAR
(QADAM)**

Counsel appointment order filed

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

S230001 F069169 Fifth Appellate District **PEOPLE v. HANSON
(DENNIS RAY)**

Counsel appointment order filed

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

S230519 **MARTIN (LANCE R.) v. S.C.
(PEOPLE)**

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

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S229462 **KUCSAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRIAN JOSEPH KUCSAN, State Bar Number 230951, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. BRIAN JOSEPH KUCSAN is suspended from the practice of law for a minimum of the first 30 days of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
 - (1) Benigno and Zenaida Yuzon in the amount of \$11,250 plus 10 percent interest

- per year from November 16, 2009;
 - (2) Benigno and Zenaida Yuzon in the amount of \$3,250 plus 10 percent interest per year from February 8, 2010;
 - (3) Scarlett Dias in the amount of \$3,400 plus 10 percent interest per year from July 15, 2011; and
 - (4) James Lathrop in the amount of \$4,050 plus 10 percent interest per year from August 15, 2011.
- ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. BRIAN JOSEPH KUCSAN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 20, 2015.
3. At the expiration of the period of probation, if BRIAN JOSEPH KUCSAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

If BRIAN JOSEPH KUCSAN remains actually suspended for 90 days or more, he 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 120 and 130 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

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. One half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If BRIAN JOSEPH KUCSAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S229463**ROBERTS ON DISCIPLINE**

Recommended discipline imposed

The court orders that JONATHAN EDWARD ROBERTS, State Bar Number 166043, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JONATHAN EDWARD ROBERTS is suspended from the practice of law for the first 30 days of probation;
2. JONATHAN EDWARD ROBERTS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 27, 2015; and
3. At the expiration of the period of probation, if JONATHAN EDWARD ROBERTS has complied with all conditions of probation, the period of stayed suspension will be satisfied

and that suspension will be terminated.

JONATHAN EDWARD ROBERTS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) 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. One-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If JONATHAN EDWARD ROBERTS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S229464**KELLY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID GANEY KELLY, State Bar Number 268795, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys. DAVID GANEY KELLY 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.

S229465**FONDA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES ARTHUR FONDA, State Bar Number 45160, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES ARTHUR FONDA must make restitution to David Lane in the amount of \$184,099.80 plus 10 percent interest per year from September 29, 2009. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

JAMES ARTHUR FONDA 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.

S229681**ALTENBERG, JR., ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GEORGE BERNARD ALTENBERG, JR., State Bar Number 117984, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

GEORGE BERNARD ALTENBERG, JR., must make restitution to Alejandra Damian in the amount of \$2,724 plus 10 percent interest per year from June 2, 2011 (or reimburse the Client Security Fund to the extent of any payment from the Fund to Alejandra Damian, in accordance with Business and Professions Code, section 6140.5).

GEORGE BERNARD ALTENBERG, JR., 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.

S229687**LI ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MING GANG LI, State Bar Number 174894, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MING GANG LI must make restitution to the following payees:

- (1) Jianghe Cao in the amount of \$30,000 plus 10 percent interest per year from October 28, 2010;
- (2) Qingwu Lu in the amount of \$50,000 plus 10 percent interest per year from November 19, 2011;
- (3) Yin Kwan Lau in the amount of \$65,000 plus 10 percent interest per year from June 28, 2011; and
- (4) Yongkui Peng in the amount of \$50,000 plus 10 percent interest per year from May 24, 2012.

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

MING GANG LI 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.

S229692**CHOPRA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PALAK CHOPRA, State Bar Number 225048, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PALAK CHOPRA 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.

S229696**CARR ON DISCIPLINE**

Recommended discipline imposed

The court orders that DENNIS MICHAEL CARR, State Bar Number 100464, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DENNIS MICHAEL CARR is suspended from the practice of law for the first six months of probation;
2. DENNIS MICHAEL CARR must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 7, 2015; and
3. At the expiration of the period of probation, if DENNIS MICHAEL CARR has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DENNIS MICHAEL CARR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DENNIS MICHAEL CARR 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. Failure to do so may result in disbarment or suspension.

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.

S229697**BRUCE ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANIEL AMERICO BRUCE, State Bar Number 216514, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DANIEL AMERICO BRUCE is suspended from the practice of law for the first 60 days of probation;
2. DANIEL AMERICO BRUCE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 10, 2015; and
3. At the expiration of the period of probation, if DANIEL AMERICO BRUCE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DANIEL AMERICO BRUCE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

S229718**McKEE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SCOTT CUMMINGS McKEE, State Bar Number 154077, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SCOTT CUMMINGS McKEE 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.

S229719**MOR ON DISCIPLINE**

Recommended discipline imposed

The court orders that RONNY MOR, State Bar Number 248274, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RONNY MOR is suspended from the practice of law for the first 30 days of probation;
2. RONNY MOR must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 4, 2015; and

3. At the expiration of the period of probation, if RONNY MOR has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RONNY MOR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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. One-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If RONNY MOR fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S229720

**SPRINGFIELD ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID SPRINGFIELD, State Bar Number 226630, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAVID SPRINGFIELD must make restitution to Uri Harash in the amount of \$58,499.02 plus 10 percent interest per year from February 19, 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).

DAVID SPRINGFIELD 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.