

**SUPREME COURT MINUTES  
THURSDAY, DECEMBER 11, 2014  
SAN FRANCISCO, CALIFORNIA**

**S213894**      B245923 Second Appellate District, Div. 6      **PACKER (JOSHUA GRAHAM) v. S.C. (PEOPLE)**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal and order the appellate court to issue a writ of mandate to the trial court directing that court to conduct further proceedings consistent with this opinion.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Baxter, Werdegarr, Chin, Corrigan, Liu, and Woods\*, JJ.

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

**S221503**      B250502 Second Appellate District, Div. 7      **PEOPLE v. ARCHER (VAUGHN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S221769**      C073559 Third Appellate District      **PEOPLE v. JONES IV (THOMAS)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 4, 2015.

**S221830**      G050081 Fourth Appellate District, Div. 3      **LARSON (WAYNE EARL) v. UHS OF RANCHO SPRINGS, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 2, 2015.

**S221905**      E060494 Fourth Appellate District, Div. 2      **PEOPLE v. JOHNSON (TREVOR ANTHONY)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 28, 2015.

**S222079** H039354 Sixth Appellate District

**VAN ZANT (INGRID) v.  
APPLE INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to January 20, 2015.

**S222106** B248318 Second Appellate District, Div. 8

**ZENGA (BO) v. GREENBURG  
GLUSKER FIELDS CLAMAN  
& MACHTINGER LLP**

The time for granting or denying review in the above-entitled matter is hereby extended to February 2, 2015.

**S222145** F067312 Fifth Appellate District

**PEOPLE v. TUBBS  
(ABRAHAM ISAAC)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222204** A135512 First Appellate District, Div. 1

**COALITION FOR  
ADEQUATE REVIEW v. CITY  
& COUNTY OF SAN  
FRANCISCO**

The time for granting or denying review in the above-entitled matter is hereby extended to January 23, 2015.

**S222211** E054517/E056595 Fourth Appellate District, Div. 2 **RACEWAY FORD CASES**

The time for granting or denying review in the above-entitled matter is hereby extended to January 26, 2015.

**S222260** H039579 Sixth Appellate District

**CERAOLO (ANGIE) v.  
CITIBANK, N.A.**

The time for granting or denying review in the above-entitled matter is hereby extended to January 28, 2015.

**S222286** E062095 Fourth Appellate District, Div. 2

**CALPORTLAND COMPANY  
v. S.C. (ACOSTA)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 29, 2015.

**S222306** H039016 Sixth Appellate District

**REYNOSO (MARGARITA  
FUNG) v. PATEL (HIRA)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 30, 2015.

**S222314** G047661 Fourth Appellate District, Div. 3

**SOLUS INDUSTRIAL  
INNOVATIONS, LLC v. S.C.  
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 30, 2015.

**S222323** B246413 Second Appellate District, Div. 3

**GOLIGHTLY (ROBERT  
GLEN) v. MOLINA (GLORIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 30, 2015.

**S222329** B248536 Second Appellate District, Div. 7

**926 NORTH ARDMORE  
AVENUE v. COUNTY OF LOS  
ANGELES**

The time for granting or denying review in the above-entitled matter is hereby extended to January 30, 2015.

**S222344** B259356 Second Appellate District, Div. 5

**LOS ANGELES, CITY OF v.  
S.C. (SHERMAN OAKS  
RESIDENTS FOR A SAFE  
ENVIRONMENT)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 2, 2015.

**S222350** B259127 Second Appellate District, Div. 5

**TEAVANA CORPORATION v.  
S.C. (CHAVEZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 2, 2015.

**S222379** D065464 Fourth Appellate District, Div. 1

**MOOREFIELD  
CONSTRUCTION, INC. v.  
INTERVEST-MORTGAGE  
INVESTMENT COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to February 3, 2015.

**S222391** G049802 Fourth Appellate District, Div. 3

**TRAVELERS CASUALTY &  
SURETY COMPANY OF  
AMERICA v. THE H.N. &  
FRANCES C. BERGER  
FOUNDATION**

The time for granting or denying review in the above-entitled matter is hereby extended to February 3, 2015.

**S222393** C074506 Third Appellate District

**PICAYUNE RANCHERIA OF  
CHUKHANSI INDIANS v.  
BROWN, JR., (EDMUND  
G.)/(NP FRESNO LAND  
ACQUISITIONS LLC)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 2, 2015.

**S222410** F068659 Fifth Appellate District

**BRANCH BANKING &  
TRUST v. PUBLIC UTILITIES  
COMMISSION (GOLDEN  
HILLS SANITATION CO.,  
INC.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 3, 2015.

**S222445** A135605 First Appellate District, Div. 1

**PEOPLE v. FIELDS (DUWAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222457**      B250069 Second Appellate District, Div. 4      **PEOPLE v. WHITE (MARCUS TREVELLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222476**      D065611 Fourth Appellate District, Div. 1      **PEOPLE v. SMITH (RASHEEDAH)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 6, 2015.

**S222484**      C069250 Third Appellate District      **PEOPLE v. MENDOZA (IGNACIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 6, 2015.

**S222486**      A143139 First Appellate District, Div. 5      **CUA (JOSEPH) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 6, 2015.

**S222489**      A142948 First Appellate District, Div. 1      **JAMES (JENNIFER) v. WORKERS' COMPENSATION APPEALS BOARD & CITY OF SANTA ROSA**

The time for granting or denying review in the above-entitled matter is hereby extended to February 6, 2015.

**S222497**      A136812/A136874 First Appellate District, Div. 2      **TOUR-SARKISSIAN (CHRISTINE) v. WHITE (BRADLEY R.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 6, 2015.

**S222507**      B250642 Second Appellate District, Div. 2      **PEOPLE v. ACCREDITED  
SURETY & CASUALTY  
COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222510**      B251746 Second Appellate District, Div. 1      **WATSON COGENERATION  
COMPANY v. SOUTHERN  
CALIFORNIA EDISON  
COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222512**      B259239 Second Appellate District, Div. 1      **CARTER (TAYLOR JUNIOR)  
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222514**      G050075 Fourth Appellate District, Div. 3      **WILLEMSSEN (RON) v.  
MITROSILIS (ANDREW P.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222518**      A140203 First Appellate District, Div. 3      **STOP THE CASINO 101  
COALITION v. BROWN, JR.,  
(EDMUND G.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222519**      B247434 Second Appellate District, Div. 1      **O'BRIEN (CHRISTINE) v.  
HASBRO, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222521**      D064289 Fourth Appellate District, Div. 1      **PEOPLE v. PRADO (JUAN ALBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222533**      D066735 Fourth Appellate District, Div. 1      **INGLETT (JEFFREY) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 10, 2015.

**S222541**      B259797 Second Appellate District, Div. 2      **DEL VAL (FELIPE VILLANUEVA) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222545**      F068219 Fifth Appellate District      **ESCOVEDO (CODY) v. ROBITSCHKE (LAURA)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222547**      F066465 Fifth Appellate District      **PEOPLE v. SHOBLUM (RAYMOND G.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222549**      B243962 Second Appellate District, Div. 6      **PEOPLE v. BONFIGLIO (MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222552**      D065021 Fourth Appellate District, Div. 1      **PEOPLE v. WHITFIELD (DWAYNE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222557**      B251147 Second Appellate District, Div. 6      **WHITEHEAD (WILLIAM) v. YOUNG (MARK)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222558**      H040633 Sixth Appellate District      **PEOPLE v. RIDING (JONATHAN SCOTT)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222561**      B248822 Second Appellate District, Div. 2      **PEOPLE v. LEWIS (WILLIE THEOPHUS)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222569**      A132358 First Appellate District, Div. 4      **PEOPLE v. McCARTNEY (DAMIEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222573**      B252023 Second Appellate District, Div. 8      **PEOPLE v. MORALES (EDWARD A.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.

**S222575**      C073169 Third Appellate District      **PEOPLE v. HERRERA (JOSHUA SAMUEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2015.



**S093944****PEOPLE v. BERTSCH (JOHN  
ANTHONY) & HRONIS  
(JEFFERY LEE)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that Hronis's opening brief is anticipated to be filed by December 31, 2015, counsel's request for an extension of time in which to file that brief is granted to February 13, 2015. After that date, only six further extensions totaling about 320 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).)

**S165195****PEOPLE v. NAVARRO, JR.,  
(ANTHONY R.)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Christine Levingston Bergman's representation that the respondent's brief is anticipated to be filed by March 15, 2015, counsel's request for an extension of time in which to file that brief is granted to February 13, 2015. 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).)

**S171998****PEOPLE v. DELEON  
(SKYLAR JULIUS)**

Extension of time granted

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

Good cause appearing, and based upon counsel Wesley A. Van Winkle's representation that the appellant's opening brief is anticipated to be filed by October 1, 2015, counsel's request for an extension of time in which to file that brief is granted to January 30, 2015. After that date, only four further extensions totaling about 240 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).)

**S174886****PEOPLE v. MADISON  
(RICKY RENE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeanne Keegan-Lynch's representation that the appellant's opening brief is anticipated to be filed by February 18, 2015, counsel's request for an extension of time in which to file that brief is granted to February 18, 2015. After that date, no further extension is contemplated.

**S214960** B248199 Second Appellate District, Div. 2 **BONILLA (JOSEPH) 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 answer brief on the merits is extended to February 16, 2015.

**S215727** D059007 Fourth Appellate District, Div. 1 **PEOPLE v. LOWE (JUSTIN SAMUEL)**

Application to file over-length brief granted

The application of respondent for permission to file an over length answer brief on the merits is hereby granted.

**S217699** A135607 First Appellate District, Div. 3 **PEOPLE v. FRANKLIN (TYRIS LAMAR)**

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 2, 2015.

**S217738** C067758/C067765/C068469  
Third Appellate District **PROPERTY RESERVE, INC. v. S.C. (DEPARTMENT OF WATER RESOURCES)**

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 reply brief on the merits is extended to February 2, 2015.

**S217979** F066645/F066646 Fifth Appellate District **PEOPLE v. NASSER (KAMAL KENNY)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 23, 2014.

No further extensions will be granted.

**S218066** H039498 Sixth Appellate District **SAN JOSE, CITY OF v. S.C. (SMITH)**

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 January 26, 2015.

**S219819**      B249557 Second Appellate District, Div. 1      **PEOPLE v. MACHADO  
(OSCAR)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 6, 2015.

**S221038**      A140035 First Appellate District, Div. 2      **BRISTOL-MYERS SQUIBB  
COMPANY v. S.C.  
(ANDERSON)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to February 2, 2015.

No further extensions are contemplated.

**S211596**      B235015 Second Appellate District, Div. 4      **TRACT 19051  
HOMEOWNERS  
ASSOCIATION v. KEMP  
(MAURICE)**

Request for judicial notice granted

The request for judicial notice, filed on November 1, 2013, is granted.

**S218602**      **GUTIERREZ ON DISCIPLINE**

Order filed

This court's order entered in the above-referenced matter, dated November 19, 2014, is made nunc pro tunc to July 31, 2014, and DEBORAH PAULINE GUTIERREZ, State Bar Number 240383, is given credit for the 30-day actual suspension that she served from August 30, 2014, to September 29, 2014.



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
JANUARY 7, 2015**

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 7, 2015.

**WEDNESDAY, JANUARY 7, 2015 — 9:00 A.M.**

- |     |         |   |
|-----|---------|---|
| (1) | S211596 | Tract 19051 Homeowners Association et al. v. Kemp<br>(Maurice) et al. |
| (2) | S213545 | Coffey (Ashley Jourdan) v. Shiimoto (Jean)                            |
| (3) | S211840 | People v. Loper (James Alden)   |

**1:30 P.M.**

- |     |         |  |
|-----|---------|--|
| (4) | S205145 | People v. Diaz (Dora)                          |
| (5) | S215927 | People v. Cook (Victoria Samantha)             |
| (6) | S064858 | People v. Scott (Royce Lyn) [Automatic Appeal] |

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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).)

A justice pro tempore will be appointed to each of these cases unless a new permanent justice is confirmed and available to participate in the oral argument.