

**SUPREME COURT MINUTES
THURSDAY, DECEMBER 28, 2017
SAN FRANCISCO, CALIFORNIA**

S232218 B259665 Second Appellate District, Div. 5 **PEOPLE v. HICKS (MARVIN TRAVON)**

Opinion filed: Judgment affirmed in full

The judgment of the Court of Appeal is affirmed.

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Cuéllar, Kruger, and Moore*, 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.

S236728 B260774 Second Appellate District, Div. 4 **PEOPLE v. FRIERSON (JAMES BELTON)**

Opinion filed: Judgment reversed

The Court of Appeal's judgment is reversed and the matter is remanded with directions to return the case to the trial court for further proceedings on defendant's petition.

Majority Opinion by Corrigan, J.

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

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

S222732 B249546 Second Appellate District, Div. 7 **DYNAMEX OPERATIONS WEST, INC. v. S.C. (LEE)**

Supplemental briefing ordered

The court requests the parties in this matter (and amici curiae who have filed briefs in this case, if they so choose) to file supplemental briefing addressing the following question: Is the pertinent wage order's suffer-or-permit-to-work definition of "employ" properly construed as embodying a test similar to the "ABC" test that the New Jersey Supreme Court, in *Hargrove v. Sleepy's LLC* (N.J. 2015) 106 A.3d 449, 462-465, held should be used under the New Jersey Wage and Hour Law, which also defines "employ" to include "to suffer or to permit to work" (N.J. Stat. § 34:11-56a1)?

The parties (and amici, if they so choose) are to serve and file simultaneous supplemental letter briefs on or before Wednesday, January 17, 2018, and serve and file simultaneous reply letter briefs on or before Wednesday, January 24, 2018. No extension of time is contemplated.

S241434**De La TORRE (EDUARDO) v.
CASHCALL, INC.**

Extension of time granted

On application of The Civil Justice Association of California and The California Chamber of Commerce and good cause appearing, it is ordered that the time to serve and file the application to file an amicus curiae brief is extended to February 5, 2018.

S241434**De La TORRE (EDUARDO) v.
CASHCALL, INC.**

Extension of time granted

On application of California Financial Service Providers Association and good cause appearing, it is ordered that the time to serve and file the application to file an amicus curiae brief is extended to February 5, 2018.

S241471 B265011/B265029 Second Appellate District, Div. 2 **McCLAIN (MICHAEL) v.
SAV-ON DRUGS**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to February 1, 2018.

S242474 H042950 Sixth Appellate District**PEOPLE v. CALAVANO
(JOSEPH GABRIEL)**

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 January 15, 2018.

S244751 A142832 First Appellate District, Div. 4**STOETZL (KURT) v. STATE
OF CALIFORNIA,
DEPARTMENT OF HUMAN
RESOURCES**

Extension of time granted

On application of respondents 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, 2018.

S239061 A142881 First Appellate District, Div. 4**PEOPLE v. ESLAVA (MARIO)**

Counsel appointment order filed

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

S239094 B265543 Second Appellate District, Div. 7 **PEOPLE v. RAMOS (CESAR)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Melissa Camacho-Cheung is hereby appointed to represent appellant on the appeal now pending in this court.

S239819 A147588 First Appellate District, Div. 5 **PEOPLE v. BALDWIN
(ANTHONY LEE)**

Counsel appointment order filed

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

S240397 C077056 Third Appellate District **IN RE J.G.**

Counsel appointment order filed

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

S241326 A148098 First Appellate District, Div. 1 **IN RE J.L.**

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.

S242779 E066443 Fourth Appellate District, Div. 2 **PEOPLE v. VAUGHN (MARK
AARON)**

Counsel appointment order filed

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

S243921 **PEOPLE v. LOPEZ (JANETH)**

Counsel appointment order filed

Upon request of appellant Janeth Lopez for appointment of counsel, John Colucci is hereby appointed to represent appellant on the appeal now pending in this court.

S244650 D071715 Fourth Appellate District, Div. 1 **PEOPLE v. TRUJILLO
(DAYLO A.)**

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.

S245074 D071357 Fourth Appellate District, Div. 1 **PEOPLE v. CARTER (TERRY LEE)**

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.

S245169 **PEOPLE v. ALVAREZ (ANTHONY MICHAEL)**

Counsel appointment order filed

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

S245217 A147345 First Appellate District, Div. 2 **PEOPLE v. TRIMBLE (JASON ARTHUR)**

Counsel appointment order filed

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

S245221 H043767 Sixth Appellate District **PEOPLE v. ROLDAN (NOHELY STEPHANY)**

Counsel appointment order filed

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

S245216 F072993 Fifth Appellate District **RIVERBANK UNIFIED SCHOOL DISTRICT v. COMMISSION ON PROFESSIONAL COMPETENCE (PIEF)**

Order filed

Due to clerical error, the order filed in the above matter on December 14, 2017, is amended to read as follows:

On application of real party in interest and appellant and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is extended to December 18, 2017.