

**SUPREME COURT MINUTES
THURSDAY, FEBRUARY 16, 2017
SAN FRANCISCO, CALIFORNIA**

S225398 B255558 Second Appellate District, Div. 8 **ROY ALLAN SLURRY SEAL,
INC. v. AMERICAN
ASPHALT SOUTH, INC.**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal, and remand with directions that the original order sustaining the demurrer be reinstated.

Majority Opinion by Corrigan, J.

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

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

Opinion filed: Judgment reversed

We therefore reverse the judgment of the Court of Appeal and remand to that court with directions to remand this matter to the superior court for proceedings consistent with this opinion.

Majority Opinion by Werdegar, J.

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

S238634 B266328 Second Appellate District, Div. 2 **PEOPLE v. GARCIA (ISAAC)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2017.

S238886 B254090 Second Appellate District, Div. 1 **PEOPLE v. GALLARDO
(GIOVANNI)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2017.

S238981 H041457 Sixth Appellate District **PEOPLE v. KUSALICH
(NICHOLAS)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 17, 2017.

S238983 B269444 Second Appellate District, Div. 2 **PEOPLE v. RODRIGUEZ
(OSCAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2017.

S238997 E067234 Fourth Appellate District, Div. 2 **THOMAS (CRAIG ARNOLD)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 17, 2017.

S239028 E067174 Fourth Appellate District, Div. 2 **RIVAS (STEVEN JOSEPH)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2017.

S239042 A148932 First Appellate District, Div. 2 **INTERSTATE GROUP LLC v.
S.C. (TAYLOR)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2017.

S239084 A143332 First Appellate District, Div. 5 **PEOPLE v. LAVERGNE
(JEREME)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2017.

S239105 B263224 Second Appellate District, Div. 7 **SORIA (SOFIA) v. UNIVISION
RADIO LOS ANGELES, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2017.

S239111 F073162 Fifth Appellate District **PEOPLE v. THOMAS
(AKWETTE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 22, 2017.

S239114 A143768 First Appellate District, Div. 5 **PEOPLE v. VILLAGRAN
(JUAN PABLO CRUZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2017.

S239118 F069552 Fifth Appellate District **PEOPLE v. CHA (KOU)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 27, 2017.

S239122 B269027 Second Appellate District, Div. 6 **PEOPLE v. VALENZUELA
(LUIS DONICIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 27, 2017.

S239140 B267081 Second Appellate District, Div. 7 **BROOKSIDE INVESTMENTS,
LTD. v. CITY OF EL MONTE**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2017.

S239154 B252894/B255166 Second Appellate District, Div. 4 **PEOPLE v. SELIVANOV
(YEVGENY)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 27, 2017.

S239170 A145283 First Appellate District, Div. 5 **TANGUILIG (BERNADETTE)
v. BLOOMINGDALE'S, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 27, 2017.

S239216 E067295 Fourth Appellate District, Div. 2 **LASTER (VENTRICE) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 30, 2017.

S239225 B279229 Second Appellate District, Div. 4 **HILL (IVAN J.) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 30, 2017.

S230782 **PETERSON (SCOTT LEE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Donna M. Provenzano's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 24, 2017, counsel's request for an extension of time in which to file that document is granted to April 24, 2017. After that date, no further extension is contemplated.

S238093 F072214 Fifth Appellate District **PEOPLE v. LOUT (JOSEPH DANIEL)**

Counsel appointment order filed

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

S238233 F071468 Fifth Appellate District **PEOPLE v. SCILAGYI (SCOTT STEVEN)**

Counsel appointment order filed

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

S239050 B268034 Second Appellate District, Div. 6 **PEOPLE v. DAVIS (CHARLES CORY)**

Counsel appointment order filed

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

S239454 B265614 Second Appellate District, Div. 4 **PEOPLE v. PADILLA (MARIO SALVADOR)**

Counsel appointment order filed

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

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S240044 C078960 Third Appellate District**PEOPLE v. GONZALES
(CRAIG DANNY)**

Order filed

The order filed on February 15, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., ordering review on the court's own motion is hereby amended to read in its entirety:

Review is ordered on the court's own motion. The issue to be briefed and argued is limited to the following: "What relationship, if any, must exist between convictions for forgery and identity theft in order to exclude a forgery conviction from sentencing as a misdemeanor under Penal Code section 473, subdivision (b)?" For purposes of briefing and oral argument, the Attorney General is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

S239874**BURTON (ERIC W.) 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.

S238855**BARRY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PATRICIA JOAN BARRY, State Bar Number 59116, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

PATRICIA JOAN BARRY 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.