

**SUPREME COURT MINUTES  
WEDNESDAY, JANUARY 4, 2017  
SAN FRANCISCO, CALIFORNIA**

**S127621**

**PEOPLE v. ERSKINE (SCOTT  
THOMAS)**

Extension of time granted

Good cause appearing, and based upon counsel Kimberly J. Grove's representation that the appellant's reply brief is anticipated to be filed by April 17, 2017, counsel's request for an extension of time in which to file that brief is granted to February 14, 2017. After that date, only one further extension totaling about 61 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).)

**S137307**

**PEOPLE v. MORALES  
(JOHNNY)**

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 March 8, 2017.

**S146528**

**PEOPLE v. SNYDER  
(JANEEN MARIE) &  
THORNTON (MICHAEL  
FORREST)**

Extension of time granted

On application of appellant Janeen Marie Snyder and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 27, 2017.

**S146528**

**PEOPLE v. SNYDER  
(JANEEN MARIE) &  
THORNTON (MICHAEL  
FORREST)**

Extension of time granted

On application of appellant Michael Thornton and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 27, 2017.

**S161909****PEOPLE v. SHOVE III  
(THEODORE CHURCHILL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Blythe J. Leszkay's representation that the respondent's brief is anticipated to be filed by July 3, 2017, counsel's request for an extension of time in which to file that brief is granted to March 6, 2017. After that date, only two further extensions totaling about 119 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).)

**S166315****WILSON (ANDRE GERALD)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Miro F. Cizin's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by February 6, 2017, counsel's request for an extension of time in which to file that document is granted to February 6, 2017. After that date, no further extension is contemplated.

**S171393****PEOPLE v. McDANIEL  
(DONTÉ LAMONT)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Elias Batchelder's representation that the appellant's reply brief is anticipated to be filed by May 10, 2017, counsel's request for an extension of time in which to file that brief is granted to March 5, 2017. After that date, only one further extension totaling about 65 additional days will be granted.

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).)

**S172750****PEOPLE v. KENNEDY (JOHN  
FITZGERALD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Theodore M. Cropley's representation that the respondent's brief is anticipated to be filed by May 12, 2017, counsel's request for an extension of time in which to file that brief is granted to March 7, 2017. After that date, only one further extension totaling about 65 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).)

**S174455****PEOPLE v. RIVERA  
(SAMUEL RAMON)**

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 27, 2017.

**S178113****BRAMIT (MICHAEL  
LAMAR) ON H.C.**

Extension of time granted

Good cause appearing, counsel Mary T. McKelvey's request for an extension of time in which to file the informal response to the petition for writ of habeas corpus is granted to February 27, 2017. After that date no further extension will be granted.

**S181535****PEOPLE v. ALCALA  
(RODNEY JAMES)**

Extension of time granted

Good cause appearing, and based upon counsel Mark D. Lenenberg's representation that the appellant's opening brief is anticipated to be filed by April 28, 2017, counsel's request for an extension of time in which to file that brief is granted to February 27, 2017. After that date, only one further extension totaling about 60 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).)

**S186271****PEOPLE v. JOHNSON (MILA)**

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 27, 2017.

**S193769****PEOPLE v. FORTE (MELVIN  
EARL)**

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 27, 2017.

**S199311****GARCIA (RANDY EUGENE)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Russell A. Lehman's representation that the informal response to the petition for writ of habeas corpus is anticipated to

be filed by May 6, 2017, counsel's request for an extension of time in which to file that document is granted to March 7, 2017. After that date, only one further extension totaling about 61 additional days is contemplated.

**S202817****PEOPLE v. FIERROS, JR.,  
(EUSEBIO)**

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 28, 2017.

**S208209****PEOPLE v. BURRIS  
(NATHAN)**

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 21, 2017.

**S211045****PEOPLE v. PEREZ  
(CHRISTIAN TOMAS)**

Extension of time granted

Good cause appearing, and based upon counsel Kathy R. Moreno's representation that the appellant's opening brief is anticipated to be filed by May 1, 2018, counsel's request for an extension of time in which to file that brief is granted to February 17, 2017. After that date, only eight further extensions totaling about 437 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).)

**S222718****SMITH (DONALD  
FRANKLIN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General William N. Frank's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 7, 2017, counsel's request for an extension of time in which to file that document is granted to March 7, 2017. After that date, no further extension is contemplated.

**S226291****HARRIS (KAI) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Conrad Petermann's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 1, 2017, counsel's request for an extension of time in which to file that document is granted

to March 4, 2017. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S233898**      D067839 Fourth Appellate District, Div. 1      **H. (T.) v. NOVARTIS  
PHARMACEUTICALS  
CORPORATION**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer to the amici curiae is extended to February 17, 2017.

**S234617**      B264641 Second Appellate District, Div. 5      **KURWA (BADRUDIN) v.  
KISLINGER (MARK B.)**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 27, 2017.

**S234954**      **CARRASCO (ROBERT) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Roberta L. Davis's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 7, 2017, counsel's request for an extension of time in which to file that document is granted to March 7, 2017. After that date, no further extension is contemplated.

**S236131**      **RIVAS (HARRY ISAAC) 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 informal response is extended to January 30, 2017.

**S238918**      C074539 Third Appellate District      **SAN JOSE, CITY OF v.  
SHARMA (VINOD K.)**

Extension of time granted

On application of plaintiff and appellant and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 16, 2017.

**S238941** B267010 Second Appellate District, Div. 4**GOONWARDENE  
(SHARMALEE) v. ADP, LLC**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the reply to the answer to petition for review is extended to January 6, 2017.

**S239046****SHEEN (CHARLES) v.  
COURT OF APPEAL,  
SECOND APPELLATE  
DISTRICT, DIVISION EIGHT  
(GIELEGHEM)**

Extension of time granted

On application of real party in interest Neil Gieleghem and good cause appearing, it is ordered that the time to serve and file the preliminary response to the petition for writ of mandate is extended to January 9, 2017.

**S185447****ROLDAN (RICARDO) ON  
H.C.**

Filing stricken per court order

Respondent's "Motion to Strike Return and Exhibits," filed on December 19, 2016, is granted. The Clerk is directed to strike the return and exhibits filed on December 9, 2016, and to file the return and exhibits received on December 19, 2016. The date by which petitioner must serve and file the traverse remains no later than January 9, 2017.

**S238795****DUNN (JOHN) v. S.C.  
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, 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.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,290)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,291)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**SUPREME COURT MINUTES  
WEDNESDAY, JANUARY 4, 2017  
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Wednesday, January 4, 2017, at 9:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger.

Officers present: Jorge Navarrete, Clerk Administrator, and Gail Gray, Calendar Coordinator.

S227473                      Banning Ranch Conservancy, Plaintiff and Appellant,  
v.  
City of Newport Beach et al.,  
Newport Banning Ranch, LLC et al., Real Parties in Interest and Appellants.

Cause called. John McClendon argued for Plaintiff.  
Whitman F. Manley argued for Defendants.  
Benjamin G. Shatz argued for Real Parties in Interest.

Mr. McClendon replied.  
Cause submitted.

S224985            John M. Carmack, as Trustee, etc. et al., Plaintiffs and Respondents,  
v.  
Rick H. Reynolds, Defendant;  
Todd A. Frealy, as Trustee in Bankruptcy, etc., Claimant and Appellant.

Cause called. Jesse S. Finlayson argued for Appellant. Robert C. Eroen argued for Respondents.

Mr. Finlayson replied.  
Cause submitted.



S226779

Frank Flethez, Plaintiff and Respondent,

v.

San Bernardino County Employees' Retirement Association, Defendant  
and Appellant.

Cause called. Edward L. Faunce argued for Respondent.

Michael P. Calabrese argued for Appellant.

Ashley K. Dunning argued for Amici Curiae Alameda County Employees'  
Retirement Association et al.

Mr. Faunce replied.

Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the court and officers present as first shown.