

***[NO MINUTES WERE GENERATED FOR
FRIDAY, JULY 4, 2014,
IN OBSERVANCE OF INDEPENDENCE DAY]***

1114

**SUPREME COURT MINUTES
MONDAY, JULY 7, 2014
SAN FRANCISCO, CALIFORNIA**

S106489

**PEOPLE v. WEATHERTON
(FRED LEWIS)**

Opinion filed: Judgment reversed

In light of the prejudicial juror misconduct, we reverse the judgment.

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegarr, Chin, Liu, and Ruvolo*, JJ.

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

S209376

A134337 First Appellate District, Div. 4

**McQUEEN (IDA),
CONSERVATORSHIP OF**

Opinion filed: Affirmed in part, reversed in part

The judgment of the Court of Appeal is affirmed in part and reversed in part and the matter is remanded to that court for further proceedings consistent with this opinion.

Majority Opinion by Werdegarr, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Chin, Corrigan, Liu, and Poochigian*, JJ.

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

S210150

F063381 Fifth Appellate District

**LOS ANGELES, CITY OF v.
COUNTY OF KERN**

Opinion filed: Judgment reversed

For the foregoing reasons, we reverse the Court of Appeal's judgment and remand for further proceedings consistent with this opinion.

Majority Opinion by Werdegarr, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Chin, Corrigan, Liu, and Raye*, JJ.

* Administrative Presiding Justice of the Court of Appeal, Third Appellate District, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S218418 C072379 Third Appellate District

**KELLER (RICHARD W.) v.
CITY OF ROSEVILLE**

The time for granting or denying review in the above-entitled matter is hereby extended to August 7, 2014.

S218421 B244552 Second Appellate District, Div. 2

**PEOPLE v. MONDRAGON
(JAVIER DIEGO)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 7, 2014.

S218435 G049927 Fourth Appellate District, Div. 3

**DALY (EVERETT R.) v. S.C.
(DEPARTMENT OF
ALCOHOLIC BEVERAGE
CONTROL)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 7, 2014.

S218436 D063847 Fourth Appellate District, Div. 1

**PEOPLE v. ROWE (KATHY
J.)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 7, 2014.

S097558

**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey J. Gale's representation that the appellant's reply brief is anticipated to be filed by August 25, 2014, counsel's request for an extension of time in which to file that brief is granted to August 25, 2014. After that date, no further extension 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).)

S113421**PEOPLE v. HARDY
(WARREN JUSTIN)**

Extension of time granted

Good cause appearing, and based upon counsel Susan K. Shaler's representation that the appellant's reply brief is anticipated to be filed by October 30, 2014, counsel's request for an extension of time in which to file that brief is granted to September 2, 2014. 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).)

S120382**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker's representation that the appellant's opening brief is anticipated to be filed by October 1, 2014, counsel's request for an extension of time in which to file that brief is granted to September 5, 2014. After that date, only one further extension totaling about 26 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).)

S151172**PEOPLE v. FORD (WAYNE
ADAM)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that the appellant's opening brief is anticipated to be filed by June 30, 2015, counsel's request for an extension of time in which to file that brief is granted to September 5, 2014. After that date, only five further extensions totaling about 300 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).)

S156877**PEOPLE v. BROTHERS
(VINCENT EDWARD)**

Application to file over-length brief granted

Good cause appearing, appellant's "Application to File Overlength Opening Brief," filed June 30, 2014, is granted. The opening brief must not exceed 125,000 words.

S165649**PEOPLE v. COOK
(MICHAEL)**

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 August 29, 2014.

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

Extension of time granted

Good cause appearing, and based upon counsel Deputy Attorney General Xiomara Costello's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 10, 2015, counsel's request for an extension of time in which to file that document is granted to September 8, 2014. After that date, only three further extensions totaling about 183 additional days are contemplated.

S167195**VALENCIA (ALFREDO) ON
H.C.**

Extension of time granted

Good cause appearing, counsel Shelley Sandusky's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to September 1, 2014. After that date, only one further extension totaling about 30 additional days will be granted.

S168204**PEOPLE v. MOSLEY (BARRY
WENDELL)**

Extension of time granted

Good cause appearing, and based upon counsel Ronald F. Turner's representation that the appellant's opening brief is anticipated to be filed by October 1, 2014, counsel's request for an extension of time in which to file that brief is granted to September 2, 2014. 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).)

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

Extension of time granted

Good cause appearing, and based upon counsel Christian C. Buckley's representation that the appellant's opening brief is anticipated to be filed by January 30, 2015, counsel's request for an extension of time in which to file that brief is granted to August 29, 2014. After that date, only three further extensions totaling about 150 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).)

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 August 29, 2014.

S205750**GEORGE (JOHNATON
SAMPSON) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Holly D. Wilken's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by August 15, 2014, counsel's request for an extension of time in which to file that document is granted to August 15, 2014. After that date, no further extension is contemplated.

S212368**SPENCER (CHRISTOPHER
ALAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Arthur P. Beever's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by August 28, 2014, counsel's request for an extension of time in which to file that document is granted to August 28, 2014. After that date, no further extension is contemplated.

S212998**BARNETT (LEE MAX) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Ward A. Campbell's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 8, 2014, counsel's request for an extension of time in which to file that document is granted to July 8, 2014. After that date, no further extension is contemplated.

S215260 A132071 First Appellate District, Div. 2**PEOPLE v. ELIZALDE
(GAMALIEL)**

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 August 6, 2014.

S215614**KILBY (NYKEYA) v. CVS
PHARMACY, INC.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the oversized consolidated reply brief on the merits is extended to July 31, 2014.

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 opening brief on the merits is extended to September 26, 2014.

S218736**SMITH (ROBERT LEE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Dorian Jung's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by January 2, 2015, counsel's request for an extension of time in which to file that document is granted to August 25, 2014. After that date, only two further extensions totaling about 129 additional days are contemplated.

S105403**PEOPLE v. CHHOUN (RUN
PETER) & PAN (SAMRETH
SAM)**

Order filed

Good cause appearing, appellant Run Peter Chhoun's "Application for Relief From Default to File Appellant's Opening Brief," filed on June 30, 2014, is granted.

S219629**BARNES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SCOTT MARTIN BARNES, State Bar Number 56508, as a member of the State Bar of California is accepted.

SCOTT MARTIN BARNES must also comply with rule 9.20 of the California Rules of Court 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.

S219630**BLANEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOYLE O'NEAL BLANEY, State Bar Number 29124, as a member of the State Bar of California is accepted.

DOYLE O'NEAL BLANEY must also comply with rule 9.20 of the California Rules of Court 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.

S219631**CHEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DESTINY CHU-LING CHEN, State Bar Number 140244, as a member of the State Bar of California is accepted.

DESTINY CHU-LING CHEN must also comply with rule 9.20 of the California Rules of Court 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.

S219632**COLLETTA ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOMINIC GEORGE COLLETTA, State Bar Number 65499, as a member of the State Bar of California is accepted.

DOMINIC GEORGE COLLETTA must also comply with rule 9.20 of the California Rules of Court 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.

S219633**ELY II ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD OSCAR ELY II, State Bar Number 76328, as a member of the State Bar of California is accepted.

RICHARD OSCAR ELY II must also comply with rule 9.20 of the California Rules of Court 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.

S219634**RALSTON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD STANLEY RALSTON, State Bar Number 119002, as a member of the State Bar of California is accepted.

RICHARD STANLEY RALSTON must also comply with rule 9.20 of the California Rules of Court 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.

S219635**STARLEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SANDRA VEE STARLEY, State Bar Number 132802, as a member of the State Bar of California is accepted.

SANDRA VEE STARLEY must also comply with rule 9.20 of the California Rules of Court 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.

S219636**TYNBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ALEXANDER HOLLANDER TYNBERG, State Bar Number 197248, as a member of the State Bar of California is accepted.

ALEXANDER HOLLANDER TYNBERG must also comply with rule 9.20 of the California Rules of Court 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.

S219637**WAGNER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHN PETER WAGNER, State Bar Number 103834, as a member of the State Bar of California is accepted.

JOHN PETER WAGNER must also comply with rule 9.20 of the California Rules of Court 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.

S219638**WANDER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ARIEL ELIZABETH WANDER, State Bar Number 246992, as a member of the State Bar of California is accepted.

ARIEL ELIZABETH WANDER must also comply with rule 9.20 of the California Rules of Court 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.

S219639**ZUCCARINI ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARY ANN JANE ZUCCARINI, State Bar Number 158484, as a member of the State Bar of California is accepted.

MARY ANN JANE ZUCCARINI must also comply with rule 9.20 of the California Rules of Court 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.

S219640**RICKARD ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JILL LINDSAY RICKARD, State Bar Number 284523, as a member of the State Bar of California is accepted.

JILL LINDSAY RICKARD must also comply with rule 9.20 of the California Rules of Court 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.

S219641**ROBINSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JENNIFER HAINES ROBINSON, State Bar Number 201113, as a member of the State Bar of California is accepted.

JENNIFER HAINES ROBINSON must also comply with rule 9.20 of the California Rules of Court 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.

S219642**ROMBARDO ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JACQUELINE BRYANT ROMBARDO, State Bar Number 177616, as a member of the State Bar of California is accepted.

JACQUELINE BRYANT ROMBARDO must also comply with rule 9.20 of the California Rules of Court 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.