

**SUPREME COURT MINUTES
FRIDAY, JULY 29, 2016
SAN FRANCISCO, CALIFORNIA**

S221852 B248316 Second Appellate District, Div. 5 **PEOPLE v. MACABEO
(PAUL)**

Supplemental briefing ordered

Submission is vacated to allow for supplemental briefing. The parties are directed to serve and file supplemental briefs addressing the effect on this case, if any, of our opinion in *People v. Robinson* (2010) 47 Cal.4th 1104, 1124-1126.

The parties are directed to serve and file simultaneous letter briefs addressing this question on or before August 22, 2016. The parties may serve and file simultaneous reply briefs within ten court days after the filing of the initial supplemental brief.

Amici curiae may file supplemental briefs on or before August 22, 2016. The parties may file consolidated replies to amicus briefs within ten court days after the filing of any supplemental amicus brief.

This matter will be resubmitted, without further order, as of the date that the last supplemental brief is or could be timely filed under this or any subsequent order of this court. (See Cal. Rules of Court, rule 8.524(h).)

S236212 F074005 Fifth Appellate District **GUNDY (SUSANNE) v. CITY
OF VISALIA**

Petition for review & application for stay denied

S235337 D069442 Fourth Appellate District, Div. 1 **SPRING VALLEY LAKE
ASSOCIATION v. CITY OF
VICTORVILLE (WAL-MART
STORES, INC.)**

Time for ordering review extended on the court's own motion

The time for ordering review on the court's own motion is hereby extended to October 14, 2016. (Cal. Rules of Court, rule 8.512(c).)

S234277 B262572 Second Appellate District, Div. 3 **PEOPLE v. ESCALONA
(EDSON)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 30, 2016.

S234559 B256760 Second Appellate District, Div. 6 **PEOPLE v. HAMILTON
(RICKY)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234580 B263666 Second Appellate District, Div. 7 **MALIBU COMMUNITY
ALLIANCE v. CITY OF
MALIBU (SANTA
MONICA-MALIBU UNIFIED
SCHOOL DISTRICT)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234707 F071102 Fifth Appellate District **HIYAMA (DEAN) v. S.C.
(RIVERA)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 8, 2016.

S234873 B268083 Second Appellate District, Div. 1 **VEGA (FERNANDO) v. S.C.
(HYDRAULICS
INTERNATIONAL, INC.)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 29, 2016.

S234897 B271629 Second Appellate District, Div. 2 **LINSON (VAUGHN) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to August 29, 2016.

S234901 A134423/S134424 First Appellate District, Div. 3 **CAMPAIGN FOR QUALITY
EDUCATION v. STATE OF
CALIFORNIA**

The time for granting or denying review in the above-entitled matter is hereby extended to August 29, 2016.

S234907 H040529 Sixth Appellate District **PEOPLE v. ARRIAGA
(ALEJANDRO)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 1, 2016.

S234916 D069229 Fourth Appellate District, Div. 1 **PEOPLE v. LUCERO
(MICHAEL CHRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 30, 2016.

S234922 B262717 Second Appellate District, Div. 4 **ESPEJO (JAY) v. SOUTHERN
CALIFORNIA PERMANENTE
MEDICAL GROUP**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2016.

S234932 C077363 Third Appellate District **PEOPLE v. WHISENANT
(CHRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2016.

S234933 H040282 Sixth Appellate District **PEOPLE v. DIAZ (JOSE
ROMERO)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2016.

S234934 C078754 Third Appellate District **PEOPLE v. WATSON, JR.,
(ROBBIE GENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 8, 2016.

S234937 A148257 First Appellate District, Div. 5 **HADSELL (CHRISTOPHER)
v. S.C. (HADSELL)**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2016.

S234940 A148297 First Appellate District, Div. 4 **JOHNSON (DAMONE) ON
H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to August 31, 2016.

S234945 B272048 Second Appellate District, Div. 5 **GEURTS (NATHANIEL
GEURTS) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 1, 2016.

S234949 F072926 Fifth Appellate District **DHINDSA (SUKHVINDER) v.
WORKERS'
COMPENSATION APPEALS
BOARD & SENECA FOODS
CORP.**

The time for granting or denying review in the above-entitled matter is hereby extended to September 1, 2016.

S234955 C077040 Third Appellate District **PEOPLE v. STEELE
(CHARLES JACOB)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 1, 2016.

S234974 A146103 First Appellate District, Div. 1 **IN RE J.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234977 C076235 Third Appellate District **PEOPLE v. ALVAREZ
(SERGIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234978 D069431 Fourth Appellate District, Div. 1 **PEOPLE v. RAINEY
(TYRELL JAMES)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234986 B264081 Second Appellate District, Div. 7 **SCHWARCZ (DAVID) v.
RASHIDIDOUST (HAMID)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S234999 C080687 Third Appellate District

**RAMOS (JAIME) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235031 F073631 Fifth Appellate District

**KAURA (VINOD K.) v. S.C.
(WELLS FARGO BANK, N.A.)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235035 F068752 Fifth Appellate District

**PEOPLE v. GALVAN II
(DANIEL JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235037 H039532 Sixth Appellate District

**PEOPLE v. GUZMAN
(LORENZO)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235043 C073027 Third Appellate District

**PEOPLE v. McGEHEE
(DAWSON ANDREW)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235045 B272317 Second Appellate District, Div. 5

**CAREMARK PCS HEALTH,
LLC v. S.C. (BERTRAM)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 2, 2016.

S235073 C076324 Third Appellate District

**PEOPLE v. FRUITS (JOHN
PATRICK)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 7, 2016.

S235075 F069142/F069567 Fifth Appellate District**PEOPLE v. SEHMBEY
(NIRMAL)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 7, 2016.

S235076 A140226 First Appellate District, Div. 1**PEOPLE v. MILES
(CHRISTOPHER COLVIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 7, 2016.

S235090 B260924 Second Appellate District, Div. 7**PEOPLE v. DUENAS (JESUS
ANTONIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 8, 2016.

S235091 B229255 Second Appellate District, Div. 5**PEOPLE v. STRATIS
(CHRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 8, 2016.

S235116 C071777 Third Appellate District**PEOPLE v. BERNIK
(ANDREY)**

The time for granting or denying review in the above-entitled matter is hereby extended to September 8, 2016.

S121365**SNOW (PRENTICE JUAN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Roberta L. Davis's representation that the return to the order to show cause is anticipated to be filed by September 30, 2016, counsel's request for an extension of time in which to file that document is granted to September 30, 2016. After that date, no further extension is contemplated.

S136171**PEOPLE v. WESSON
(MARCUS DELON)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Kathleen A. McKenna's representation that the respondent's brief is anticipated to be filed by May 26, 2017, counsel's request for an extension of time in which to file that brief is granted to September 30, 2016. After that date, only four further extensions totaling about 237 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).)

S138147**SMITH (GREGORY SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Susan Sullivan Pithey's representation that the supplemental informal response is anticipated to be filed by September 27, 2016, counsel's request for an extension of time in which to file that document is granted to September 27, 2016. After that date, no further extension is contemplated.

S147335**PEOPLE v. MITCHELL, JR.,
(LOUIS)**

Extension of time granted

Good cause appearing, and based upon counsel Deputy State Public Defender Maria Morga's representation that the appellant's reply brief is anticipated to be filed by September 26, 2016, counsel's request for an extension of time in which to file that brief is granted to September 26, 2016. After that date, no further extension is contemplated.

S155617**PEOPLE v. SILVA
(MAURICIO)**

Extension of time granted

Good cause appearing, and based upon counsel Victor S. Haltom's representation that the appellant's opening brief is anticipated to be filed by September 26, 2016, counsel's request for an extension of time in which to file that brief is granted to September 26, 2016. After that date, no further extension will be granted.

S161781**PEOPLE v. THOMAS (JUSTIN
HEATH)**

Extension of time granted

Good cause appearing, and based upon counsel John L. Staley's representation that the appellant's opening brief is anticipated to be filed by January 17, 2017, counsel's request for an extension of time in which to file that brief is granted to September 19, 2016. After that date, only two further extensions totaling about 121 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).)

S164370**PEOPLE v. VOLARVICH
(BRENDT ANTHONY)**

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 September 23, 2016.

S180711**PEOPLE v. KLING
(RANDOLPH CLIFTON)**

Extension of time granted

Good cause appearing, and based upon counsel Phillip H. Cherney's representation that the appellant's opening brief is anticipated to be filed by August 3, 2017, counsel's request for an extension of time in which to file that brief is granted to October 3, 2016. After that date, only five further extensions totaling about 303 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).)

S193669**NELSON (BERNARD
ALBERT) ON H.C.**

Extension of time granted

Good cause appearing, counsel Geraldine S. Russell'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 October 1, 2016. After that date, only three further extensions totaling 158 additional days will be granted.

S202630**PEOPLE v. BUTLER
(RAYMOND OSCAR)**

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 October 3, 2016.

S230923 A144149 First Appellate District, Div. 1**IN RE RICARDO P.**

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 August 24, 2016. No further extensions will be granted.

S231375**DAVIS (RICHARD ALLEN)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Supervising Deputy Attorney General representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by September 9, 2016, counsel's request for an extension of time in which to file that document is granted to September 9, 2016. After that date, no further extension is contemplated.

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

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 August 1, 2016.

S232900 D066907 Fourth Appellate District, Div. 1**PEOPLE v. VALENZUELA
(LAURA REYNOSO)**

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 September 9, 2016.

S233508 D067920 Fourth Appellate District, Div. 1**KIRCHNER (KRISTOPHER)
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 August 19, 2016.

S234040**CONTRERAS (JOE DANIEL)
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 October 3, 2016.

S234285**DOOLIN (KEITH ZON) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Amanda D. Cary's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 3, 2016, counsel's request for an extension of time in which to file that document is granted to October 4, 2016. After that date, only one further extension totaling about 30 additional days is contemplated.

S231757

B262126 Second Appellate District, Div. 6

**PEOPLE v. GRAYSON
(ERNEST)**

Counsel appointment order filed

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

S234258

H040933 Sixth Appellate District

**PEOPLE v. ELLIS
(LEGRANTE)**

Counsel appointment order filed

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

S234295

A143376 First Appellate District, Div. 5

IN RE R.C.

Counsel appointment order filed

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

S234515

E063650 Fourth Appellate District, Div. 2

**PEOPLE v. LAUER
(JONATHAN)**

Counsel appointment order filed

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

S234518

E061955 Fourth Appellate District, Div. 2

**PEOPLE v. MAGANA (JESUS
LOZANO)**

Counsel appointment order filed

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

S234590 A144157 First Appellate District, Div. 4

**PEOPLE v. HERRIN
(MICHAEL THOMAS)**

Counsel appointment order filed

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

S234827 B262908 Second Appellate District, Div. 5

PEOPLE v. LOPEZ (CARLOS)

Counsel appointment order filed

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

S234938 C079774 Third Appellate District

**PEOPLE v. OAKLEY (JAMES
EDWARD)**

Counsel appointment order filed

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

S235015 B266551 Second Appellate District, Div. 1

**PEOPLE v. JONES (WILLIE
LEE)**

Counsel appointment order filed

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

S235041 C080099 Third Appellate District

**PEOPLE v. JOHNSTON
(TONY DALE)**

Counsel appointment order filed

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

S016718**PEOPLE v. CATLIN (STEVEN
DAVID)**

Motion for access to sealed record granted

Respondent's "Motion for Access to Sealed Penal Code Section 987.9 Materials Filed in Case Number S016718 for Use in the Pending Federal Habeas Proceeding" filed on June 27, 2016, is granted. The Clerk is directed to provide respondent access to the materials filed under seal in the record on appeal pursuant to Penal Code section 987.9: envelope titled "987.9 documents Sealed"; envelope titled "Sealed 987.9 documents"; and Sealed Reporter's Transcripts of hearings on 2/8/89, 8/14/89, 8/28/89 & 10/31/89, 3/14/90, 6/6/90, and 7/24/90. The Attorney General must supply the personnel and equipment necessary to undertake the examination and copying of these documents, which must occur on the premises of the court. Except as provided herein, these documents remain under seal and their use must be limited solely to the pending proceedings. (Pen. Code § 987.9, subd. (d).)

S122611**PEOPLE v. STESKAL
(MAURICE GERALD)**

Order filed

Good cause appearing, "Appellant's Motion for Leave to File Second Supplemental Brief in Excess of Word Limit," filed on July 18, 2016, is granted. The due date for the appellant's reply brief is vacated.

Respondent is directed to serve and file a Supplemental Respondent's Brief addressing the claim raised in appellant's second supplemental brief within 30 days of the filing of this order.

Appellant's reply brief must be served and filed within 30 days of the filing of the Supplemental Respondent's Brief.

S233845 D069073 Fourth Appellate District, Div. 1**PEOPLE v. KOZEE-STOLTZ
(JORDAN PAUL)**

Order filed

The order appointing Susan K. Shaler as counsel for appellant Christopher Newsome filed on July 19, 2016, is hereby amended to reflect the above case title.

S235735 B264493 Second Appellate District, Div. 1**RAND RESOURCES, LLC v.
CITY OF CARSON**

Order filed

The application of appellants for permission to file a consolidated answer to petitions for review is hereby granted.

S234018**PARRA ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL PARRA, State Bar Number 216596, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MICHAEL PARRA 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.

S234020**van PARYS ON DISCIPLINE**

Recommended discipline imposed

The court orders that NICHOLAS H. van PARYS, State Bar Number 242234, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. NICHOLAS H. van PARYS must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 8, 2016; and
2. At the expiration of the period of probation, if NICHOLAS H. van PARYS has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

NICHOLAS H. van PARYS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

S234021**VOHWINKLE ON
DISCIPLINE**

Recommended discipline imposed

The court orders that RORY JOSEPH VOHWINKEL, State Bar Number 276102, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. RORY JOSEPH VOHWINKEL must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 11, 2016; and
2. At the expiration of the period of probation, if RORY JOSEPH VOHWINKEL has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RORY JOSEPH VOHWINKEL must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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. One-half of the costs must be paid with his 2017 membership fees and one-half of the costs must be paid with his 2018 membership fees. If RORY JOSEPH VOHWINKEL fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S234029**BERNATH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DANIEL ALAN BERNATH, State Bar Number 116636, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DANIEL ALAN BERNATH 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.

S234030**COOMBS ON DISCIPLINE**

Recommended discipline imposed

The court orders that RICHARD EDWARD COOMBS, State Bar Number 74281, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. RICHARD EDWARD COOMBS is suspended from the practice of law for the first six months of probation;
2. RICHARD EDWARD COOMBS must make restitution, within one year after the effective date of this order, to Raman Jain in the amount of \$750 plus 10 percent interest per year from March 27, 2013. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).
3. RICHARD EDWARD COOMBS must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on March 3, 2016; and
4. At the expiration of the period of probation, if RICHARD EDWARD COOMBS has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RICHARD EDWARD COOMBS 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. Failure to do so may result in disbarment or

suspension.

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.

S234031**EASTMOND ON DISCIPLINE**

Recommended discipline imposed

The court orders that McKINLEY DIRK EASTMOND, State Bar Number 89470, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. McKINLEY DIRK EASTMOND is suspended from the practice of law for the first 90 days of probation;
2. McKINLEY DIRK EASTMOND must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 1, 2016; and
3. At the expiration of the period of probation, if McKINLEY DIRK EASTMOND has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

McKINLEY DIRK EASTMOND 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. Failure to do so may result in disbarment or suspension.

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. One-third of the costs must be paid with his membership fees for each of the years 2017, 2018, and 2019. If McKINLEY DIRK EASTMOND fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S234480**McCOY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL GREGORY McCOY, State Bar Number 241836, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MICHAEL GREGORY McCOY 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.

S234481**MUELLER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ANGELA ELIZABETH MUELLER, State Bar Number 266929, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

ANGELA ELIZABETH MUELLER 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.

S234482**PECKENPAUGH ON
DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS D. PECKENPAUGH, State Bar Number 38155, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. THOMAS D. PECKENPAUGH is suspended from the practice of law for the first 30 days of probation;
2. THOMAS D. PECKENPAUGH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 22, 2016; and
3. At the expiration of the period of probation, if THOMAS D. PECKENPAUGH has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

THOMAS D. PECKENPAUGH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

S234486**WARNER ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID LAWRENCE WARNER, State Bar Number 194804, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. DAVID LAWRENCE WARNER is suspended from the practice of law for the first 30 days of probation;
2. DAVID LAWRENCE WARNER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 22, 2016; and
3. At the expiration of the period of probation, if DAVID LAWRENCE WARNER has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID LAWRENCE WARNER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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. One-half of the costs must be paid with his 2017 membership fees and one-half of the costs must be paid with his 2018 membership fees. If DAVID LAWRENCE WARNER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S234490**ACKERMAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD D. ACKERMAN, State Bar Number 171900, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RICHARD D. ACKERMAN 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.

S234491**DURST ON DISCIPLINE**

Recommended discipline imposed

The court orders that LEE HUMPHREY DURST, State Bar Number 69704, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. LEE HUMPHREY DURST is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until he provides proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. LEE HUMPHREY DURST must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 21, 2016.
3. At the expiration of the period of probation, if LEE HUMPHREY DURST has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

LEE HUMPHREY DURST must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

LEE HUMPHREY DURST 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. Failure to do so may result in disbarment or suspension.

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.

S234635**CHOE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that GENE WOOK CHOE, State Bar Number 187704, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

GENE WOOK CHOE must make restitution to the following individuals (or to the Client Security Fund to the extent of any payment from the Fund to any of them, in accordance with Business and Professions Code section 6140.5):

- (1) Noemi Ramirez in the amount of \$10,639 plus 10 percent interest per year from March 16, 2011;
- (2) Miguel A. Rodriguez-Parra in the amount of \$3,000 plus 10 percent interest per year from March 26, 2012;
- (3) Lynn Hilden and Susan Hilden in the amount of \$3,281.50 plus 10 percent interest per year from January 19, 2012;
- (4) Donald Smith in the amount of \$5,880 plus 10 percent interest per year from October 6, 2011;

- (5) Yohann Chang and Jung OK Chang in the amount of \$14,000 plus 10 percent interest per year from October 11, 2010;
- (6) Maria Mariscal in the amount of \$12,000 plus 10 percent interest per year from February 7, 2012;
- (7) Victoria Smiser in the amount of \$24,000 plus 10 percent interest per year from September 22, 2011;
- (8) Icylyn Williams in the amount of \$7,000 plus 10 percent interest per year from May 1, 2012;
- (9) Tina Youngson and Sang Park in the amount of \$17,500 plus 10 percent interest per year from August 1, 2010;
- (10) Jessie Lee and Wilma Pratt in the amount of \$10,500 plus 10 percent interest per year from November 1, 2011;
- (11) Ki Tae and Kyung Sook Kim in the amount of \$7,750 plus 10 percent interest per year from July 15, 2011;
- (12) Hans Weigel in the amount of \$15,000 plus 10 percent interest per year from November 17, 2011;
- (13) Janet Khachi and Biejan Mijaeli in the amount of \$9,000 plus 10 percent interest per year from May 1, 2012;
- (14) Frank J. Ayre, Jr., and Aida A. Ayre in the amount of \$5,575 plus 10 percent interest per year from November 19, 2011;
- (15) Javier Gonzalez in the amount of \$12,200 plus 10 percent interest per year from February 1, 2012;
- (16) Michael Lansdale in the amount of \$5,000 plus 10 percent interest per year from June 29, 2012;
- (17) Graciela Garcia in the amount of \$1,684.50 plus 10 percent interest per year from March 21, 2012;
- (18) Patricia Herrera in the amount of \$6,000 plus 10 percent interest per year from February 1, 2012;
- (19) Edna Parker in the amount of \$9,500 plus 10 percent interest per year from November 2, 2011;
- (20) Kevin Lynn and Janet Lynn in the amount of \$11,075 plus 10 percent interest per year from October 1, 2011;
- (21) Diane Robinson in the amount of \$6,800 plus 10 percent interest per year from August 1, 2011;
- (22) Luis Olvera and Hyesoon Kim Olvera in the amount of \$17,000 plus 10 percent interest per year from April 1, 2011;
- (23) Kum Soo Joo in the amount of \$16,000 plus 10 percent interest per year from September 1, 2011; and
- (24) Vasilica Vasilescu in the amount of \$2,849 plus 10 percent interest per year from November 14, 2011.

GENE WOOK CHOE 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.

S234640**ALLEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOSEPH DULLES ALLEN, State Bar Number 48922, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOSEPH DULLES ALLEN is suspended from the practice of law for a minimum of the first sixty (60) days of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He pays to the following payees the sanctions which he was ordered to pay in *Robert Holbrock v. David Pasternak, et al.*, U.S. District Court, Central District of California, case no. CV14-06795 and furnishes satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles:
 - (1) David Pasternak, Esq., in the amount of \$24,225.25;
 - (2) Clerk of the U.S. District Court, Central District of California, in the amount of \$2,000;
 - (3) Ira M. Friedman, Esq., in the amount of \$10,746.36; and
 - (4) Gary S. Starre, Esq., in the amount of \$7,720.
 - ii. He pays in full to Ira M. Friedman, Esq. the sanctions which he was ordered to pay in *In re the Marriage of Katherine Hopkins and Thomas Hopkins*, in the amount of \$4,140 and furnishes satisfactory proof of payment to the State Bar's Office of Probation in Los Angeles; and
 - iii. If he remains suspended for two years or more as a result of not satisfying the preceding conditions, JOSEPH DULLES ALLEN must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. JOSEPH DULLES ALLEN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 29, 2016.
3. At the expiration of the period of probation, if JOSEPH DULLES ALLEN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOSEPH DULLES ALLEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

If JOSEPH DULLES ALLEN remains suspended for 90 days or more, he 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 120 and 130 calendar days, respectively, after the effective date of this order.

Failure to do so may result in disbarment or suspension.

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. One-third of the costs must be paid with his membership fees for each of the years 2017, 2018, and 2019. If JOSEPH DULLES ALLEN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S234645**DONAHUE ON DISCIPLINE**

Recommended discipline imposed

The court orders that CARI DONAHUE, State Bar Number 273436, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. CARI DONAHUE is suspended from the practice of law for a minimum of the first two years of probation and she will remain suspended until the following conditions are satisfied:
 - i. She makes restitution to Tony and Ghalia Karam in the amount of \$13,500 plus 10 percent interest per year from January 15, 2013 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Tony and Ghalia Karam, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - ii. CARI DONAHUE must provide proof to the State Bar Court of her rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Professional Misconduct, std. 1.2(c)(1).)
3. CARI DONAHUE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Amended Decision filed on March 10, 2016.
4. At the expiration of the period of probation, if CARI DONAHUE has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CARI DONAHUE must also take and pass the Multistate Professional Responsibility Examination during the period of the suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

CARI DONAHUE 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. Failure to do so may result in disbarment or suspension.

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.

S234647**OLSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that KENNETH CLIFFORD OLSON, State Bar Number 279643, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. KENNETH CLIFFORD OLSON is suspended from the practice of law for a minimum of the first 90 days of probation, and he will remain suspended until the following conditions are satisfied:
 - i. He makes restitution to Nikki and Ernest Cheng in the amount of \$2,800 plus 10 percent interest per year from April 30, 2014 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Nikki and Ernest Cheng, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ii. He makes restitution to Nikki and Ernest Cheng in the amount of \$150 plus 10 percent interest per year from November 25, 2013 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Nikki and Ernest Cheng, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. KENNETH CLIFFORD OLSON must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on March 17, 2016.
3. At the expiration of the period of probation, if KENNETH CLIFFORD OLSON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

KENNETH CLIFFORD OLSON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

KENNETH CLIFFORD OLSON 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. Failure to do so may result in disbarment or suspension.

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.

S234648**PHAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that VINH NGOC PHAM, State Bar Number 243907, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. VINH NGOC PHAM is suspended from the practice of law for the first 30 days of probation;
2. VINH NGOC PHAM must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 29, 2016; and
3. At the expiration of the period of probation, if VINH NGOC PHAM has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

VINH NGOC PHAM must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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. One-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If VINH NGOC PHAM fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S234651**PORTALES ON DISCIPLINE**

Recommended discipline imposed

The court orders that ELIAS FRANCISCO PORTALES, State Bar Number 230402, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. ELIAS FRANCISCO PORTALES is suspended from the practice of law for the first 90 days of probation;
2. ELIAS FRANCISCO PORTALES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 5, 2016; and
3. At the expiration of the period of probation, if ELIAS FRANCISCO PORTALES has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ELIAS FRANCISCO PORTALES must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ELIAS FRANCISCO PORTALES 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. Failure to do so may result in disbarment or suspension.

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.

S234654

**WASHINGTON ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that LORNA CHRISTINE WASHINGTON, State Bar Number 199393, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

LORNA CHRISTINE WASHINGTON must make restitution to Jeffrey Uyehara and Frank Cruz in the amount of \$17,994.35 plus 10 percent interest per year from November 11, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

LORNA CHRISTINE WASHINGTON 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.

**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. 1,267)**

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.)