

**SUPREME COURT MINUTES
MONDAY, JUNE 1, 2015
SAN FRANCISCO, CALIFORNIA**

S076337**PEOPLE v. CHARLES III
(EDWARD)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Werdegarr, J.

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

S215132

B248603 Second Appellate District, Div. 3

**STATE DEPARTMENT OF
STATE HOSPITALS v. S.C.
(NOVOA)**

Opinion filed: Judgment affirmed in full

We affirm the Court of Appeal's conclusions. The SVPA imposed a mandatory duty upon defendants to designate two evaluators to assess all persons referred by the DOC. However, plaintiff could not establish that the alleged breach of this duty was a proximate cause of Gomez's death. As the Court of Appeal concluded, plaintiff is free to pursue a writ of mandate requiring defendants to comply with their mandatory duties under the SVPA.

Majority Opinion by Corrigan, J.

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

Concurring Opinion by Werdegarr, J.

-- joined by Liu and Kruger, JJ.

S076340**PEOPLE v. NGUYEN (LAM
THANH)**

Supplemental briefing ordered

In light of the Attorney General's concession at oral argument, the parties are directed to serve and file supplemental briefs addressing the following question: May a gang enhancement under section 186.22, subdivision (b)(1), be applied to a conviction for active participation in a street gang under section 186.22, subdivision (a)? (See *People v. Rodriguez* (2012) 55 Cal.4th 1125, 1137-1138; *People v. Albillar* (2010) 51 Cal.4th 47, 60-62; *People v. Briceno* (2004) 34 Cal.4th 451, 465; *Lopez v. Superior Court* (2008) 160 Cal.App.4th 824, 828-832; *People v. Arroyas* (2002) 96 Cal.App.4th 1439, 1445-1448.)

The parties are directed to serve and file simultaneous letter briefs addressing this question on or before June 12, 2015. The parties may serve and file simultaneous reply briefs on or before June 19, 2015, subject to any subsequent order of this court. No extension of time for the filing of these briefs is contemplated.

This matter, having been submitted on May 28, 2015, remains submitted.

S205750

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

Extension of time granted

The application of petitioner for relief from default for the failure to timely file petitioner's request for extension of time is granted.

Good cause appearing, and based upon counsel Bruce Eric Cohen's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 13, 2015, counsel's request for an extension of time in which to file that document is granted to July 17, 2015. After that date, only two further extensions totaling about 120 additional days will be granted.