

**SUPREME COURT MINUTES
FRIDAY, JUNE 2, 2017
SAN FRANCISCO, CALIFORNIA**

S040704**PEOPLE v. JOHNSEN (BRIAN
DAVID)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma Kenwood's representation that the appellant's reply brief is anticipated to be filed by November 8, 2017, counsel's request for an extension of time in which to file that brief is granted to August 1, 2017. After that date, only two further extensions totaling about 99 additional days will be granted.

S062417**PEOPLE v. SILVERIA
(DANIEL TODD) & TRAVIS
(JOHN RAYMOND)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Arthur P. Beever's representation that the supplemental respondent's brief is anticipated to be filed by October 20, 2017, counsel's request for an extension of time in which to file that brief is granted to July 31, 2017. After that date, only two further extensions totaling about 80 additional days are contemplated.

S127119**PEOPLE v. GIVENS (TODD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Clara M. Levers's representation that the respondent's brief is anticipated to be filed by July 5, 2017, counsel's request for an extension of time in which to file that brief is granted to July 5, 2017. After that date, no further extension is contemplated.

S177281**PEOPLE v. MAGALLON
(MIGUEL ANGEL)**

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 July 31, 2017.

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 November 6, 2017, counsel's request for an extension of time in which to file that brief is granted to August 1, 2017. After that date, only two further extensions totaling about 96 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).)

S185810**PEOPLE v. THREATS
(DERLYN RAY)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Arnold A. Erickson's representation that the appellant's opening brief is anticipated to be filed by April 9, 2018, counsel's request for an extension of time in which to file that brief is granted to August 7, 2017. After that date, only four further extensions totaling about 246 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).)

S192662**PEOPLE v. FAJARDO
(JONATHAN)**

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 4, 2017.

S207510**PEOPLE v. BARBAR
(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 4, 2017.

S236765**LIBERTY SURPLUS
INSURANCE
CORPORATION; LIBERTY
INSURANCE
UNDERWRITERS, INC. v.
LEDESMA & MEYER
CONSTRUCTION
COMPANY, INC.; LEDESMA
(JOSEPH); MEYER (KRIS)**

Extension of time granted

On application of plaintiffs and appellants and good cause appearing, it is ordered that the time to serve and file the responses to amici curie briefs are extended to July 17, 2017.

S238032

B259259 Second Appellate District, Div. 8

**PEOPLE v. MENDOZA
(JOHNNY)**

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 July 5, 2017.

S239454

B265614 Second Appellate District, Div. 4

**PEOPLE v. PADILLA
(MARIO SALVADOR)**

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 June 19, 2017.

S239713

F065807 Fifth Appellate District

**PEOPLE v. RODRIGUEZ
(JESUS MANUEL)**

Extension of time granted

On application of Jesus Manuel Rodriguez and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to July 31, 2017.

S240649**FLO & EDDIE, INC. v.
PANDORA MEDIA, INC.**

Extension of time granted

On application of defendant and 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 4, 2017.

S240649**FLO & EDDIE, INC. v.
PANDORA MEDIA, INC.**

Application to appear as counsel pro hac vice granted

The application of Gregory G. Garre for admission pro hac vice to appear on behalf of Pandora Media, Inc., is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S240426 B271624 Second Appellate District, Div. 7 **PEOPLE v. PEREA (JOE)**
Counsel appointment order filed

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

S173784**PEOPLE v. OYLER
(RAYMOND LEE)**

Order filed

Respondent's "Supplemental Application for Access to Transcripts Relating to Defendant's Request for Funding Pursuant to Penal Code Section 987.9," filed on March 16, 2017, is granted. The Clerk is directed to provide respondent access to the materials filed under seal in the above-entitled record on appeal pursuant to Penal Code section 987.9: "Supplemental Clerk's Transcript on Appeal Confidential - Under Seal (987.9)," Volumes I and II, pages 1-492. 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).)

Respondent's "Application for Access to Records in the Record on Appeal," filed on April 3, 2017, is granted as follows. Because the superior court granted a motion to unseal the documents at issue, but they were mistakenly filed under seal in the record on appeal, the court on its own motion unseals the "4th Supplemental Clerk's Transcript on Appeal." The Clerk is directed to unseal this volume and make it part of the public record on appeal, and to provide respondent access to the volume for copying.

S237734 B270503 Second Appellate District, Div. 4 **HOPKINS (TERENCE
WILLIAM) v. S.C. (PEOPLE)**

Order filed

The application of petitioner for permission to file an untimely answer brief on the merits is hereby granted.

S241986**AVERY ON RESIGNATION**

Order filed

The order of this court filed on May 26, 2017, accepting the voluntary resignation of DOUGLAS STUART AVERY, is hereby amended to reflect the above caption and to read in its entirety:

“The court orders that the voluntary resignation of DOUGLAS STUART AVERY, State Bar Number 69741, as a member of the State Bar of California is accepted.”

S241796

**RODRIGUEZ (PEDRO) 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.

S241840

**SERMENO (LARRY A.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION
(SHERMAN)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth 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.

S241943

**BELYEW (LISA) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Third Appellate District

The above-entitled matter is transferred to the Court of Appeal, Third 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.

B277015

Second Appellate District

**De FIORI (KATHERINE
ESTEL) v. De FIORI
(NICOLAS EROS)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, Division Six, is transferred to the Court of Appeal, Third Appellate District.