

**SUPREME COURT MINUTES  
THURSDAY, MARCH 1, 2018  
SAN FRANCISCO, CALIFORNIA**

**S104144**

**PEOPLE v. PEREZ, JR.,  
(JOSEPH ANDREW)**

Opinion filed: Judgment affirmed in full  
Majority Opinion by Cuéllar, J.

— joined by Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Kruger, and Jenkins\*, JJ.

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

**S247295**

**HASAN (MOHAMMAD  
HAIDER AGHA) v. COURT  
OF APPEAL, FIRST  
APPELLATE DISTRICT  
(JAFARIEH)**

Petition for writ of mandate/prohibition & application for stay denied

The petition for writ of mandate, application for stay, and motion for judicial disqualification are denied.

**S065877**

**PEOPLE v. LOPEZ (BOBBY),  
SERNA (HERMINIO) &  
TRUJEQUE (JAMES)**

Extension of time granted

Based upon counsel Joseph Baxter's representation that the appellant Bobby Lopez's opening brief is anticipated to be filed by January 3, 2019, an extension of time in which to file that brief is granted to May 4, 2018. After that date, only four further extensions totaling about 243 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).)

**S161909**

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

Extension of time granted

Based upon State Public Defender Mary K. McComb's representation that the appellant's reply brief is anticipated to be filed by November 4, 2018, an extension of time in which to file that brief is granted to May 4, 2018. After that date, only three further extensions totaling about 183

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).)

**S172432**

**PEOPLE v. CHEATHAM  
(STEVEN DEWAYNE)**

Extension of time granted

Based upon counsel Conrad Petermann's representation that the appellant's reply brief is anticipated to be filed by August 1, 2018, an extension of time in which to file that brief is granted to May 4, 2018. After that date, only two further extensions totaling about 89 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).)

**S182161**

**PEOPLE v. JACKSON  
(LLOYD EARL)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to May 7, 2018.

**S202817**

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

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to April 30, 2018.

**S207945**

**PEOPLE v. CANALES  
(OSMAN ALEX)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to April 30, 2018.

**S211060**

**PEOPLE v. GALVAN  
(ROBERT)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to May 7, 2018.

**S220097****PEOPLE v. WEST (ERRAN  
LANE)**

Extension of time granted

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

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to April 25, 2018.

**S242835**      A144500 First Appellate District, Div. 1**SAN FRANCISCO, CITY &  
COUNTY OF v. REGENTS OF  
THE UNIVERSITY OF  
CALIFORNIA**

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 March 26, 2018.

**S170001****PEOPLE v. WATTA  
(BENJAMIN WAYNE)**

Order filed

Appellant's request for relief from default to file appellant's opening brief is granted.

**S246847**      C086253 Third Appellate District**THURSTON (ANDERSON P.)  
v. S.C. (PEOPLE)**

Order filed

Real Party in Interest, The People's "Motion to Augment the Record and Request for Extension of Time" are hereby granted. The answer to the petition for review must be filed within 15 days of the filing of the augmented record. Petitioner will then have 10 days in which to serve and file a reply to the answer.

**S247107**      C081918 Third Appellate District**ANAHEIM, CITY OF v.  
COHEN (MICHAEL)**

Order filed

The order filed on February 21, 2018, extending the time for ordering review on the court's own motion is hereby amended in to read in its entirety:

"The time for ordering review on the court's own motion is hereby extended to April 18, 2018 (Cal. Rules of Court, rule 8.512(c).) This order is entered nunc pro tunc as of February 20, 2018."

**S245942****ALLEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSEPH DULLES ALLEN, State Bar Number 48922, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOSEPH DULLES ALLEN 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.

**S245954****KIRKHAM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAN ROMAINE KIRKHAM, State Bar Number 60324, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAN ROMAINE KIRKHAM 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

**S245974****PETERSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MARK ALLEN PETERSON, State Bar Number 111961, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

MARK ALLEN PETERSON 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

**S245975****PHELPS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSHUA LEE PHELPS, State Bar Number 259067, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

JOSHUA LEE PHELPS 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.

**S245982****STEIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DOUGLAS EDWARD STEIN, State Bar Number 131248, 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 three years' subject to the following conditions:

1. DOUGLAS EDWARD STEIN is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following conditions are satisfied:
  - i. He makes restitution to Jaroslaw Waszczuk in the amount of \$14,694.33 plus 10 percent interest per year from June 2, 2014 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Jaroslaw Waszczuk, 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 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. DOUGLAS EDWARD STEIN 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 October 24, 2017.
3. At the expiration of the period of probation, if DOUGLAS EDWARD STEIN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DOUGLAS EDWARD STEIN 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).)

DOUGLAS EDWARD STEIN 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 2019, 2020, and 2021. If DOUGLAS EDWARD STEIN 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.

**S246003****TRYK ON DISCIPLINE**

Recommended discipline imposed

The court orders that BENJAMIN PRESCOTT TRYK, State Bar Number 253299, 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. BENJAMIN PRESCOTT TRYK is suspended from the practice of law for the first 60 days of probation;
2. BENJAMIN PRESCOTT TRYK must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on October 6, 2017; and
3. At the expiration of the period of probation, if BENJAMIN PRESCOTT TRYK has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

BENJAMIN PRESCOTT TRYK 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.

**S246113****PEARCE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JUAN ENRIQUE PEARCE, State Bar Number 236228, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys. JUAN ENRIQUE PEARCE 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.

**S246118****ZELIG ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVEN ZELIG, State Bar Number 94654, 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. STEVEN ZELIG is suspended from the practice of law for the first 30 days of probation;
2. STEVEN ZELIG 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 November 2, 2017; and
3. At the expiration of the period of probation, if STEVEN ZELIG has complied with all

conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

STEVEN ZELIG 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.

**S246120****BRASLAU ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SAMUEL BRASLAU, State Bar Number 200843, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

SAMUEL BRASLAU 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.

**S246145****CALDWELL ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KAREN LEE CALDWELL, State Bar Number 181749, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

KAREN LEE CALDWELL 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.

**S246146****CAUSEY ON DISCIPLINE**

Recommended discipline imposed

The court orders that INGRID MARIE CAUSEY, State Bar Number 166305, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. INGRID MARIE CAUSEY is suspended from the practice of law for the first six months of probation;
2. INGRID MARIE CAUSEY 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 November 7, 2017; and

3. At the expiration of the period of probation, if INGRID MARIE CAUSEY has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

INGRID MARIE CAUSEY 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-half of the costs must be paid with her membership fees for each of the years 2019 and 2020. If INGRID MARIE CAUSEY 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.

**S246171****LANHAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that RANDALL JAMES LANHAM, State Bar Number 164839, 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. RANDALL JAMES LANHAM is suspended from the practice of law for the first 30 days of probation;
2. RANDALL JAMES LANHAM 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 November 1, 2017; and
3. At the expiration of the period of probation, if RANDALL JAMES LANHAM has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RANDALL JAMES LANHAM 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.

**S246174****LEE ON DISCIPLINE**

Recommended discipline imposed

The court orders that KEON JOONG LEE, State Bar Number 210361, 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. KEON JOONG LEE is suspended from the practice of law for a minimum of the first six

months of probation, and he will remain suspended until the following conditions are satisfied:

- i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:
    - (1) Peggy Kang in the amount of \$1,953.33 plus 10 percent interest per year from February 11, 2014;
    - (2) Hyunjung Kim in the amount of \$6,666.66 plus 10 percent interest per year from August 14, 2014;
  - 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 present learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. KEON JOONG LEE 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 October 25, 2017.
  3. At the expiration of the period of probation, if KEON JOONG LEE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

KEON JOONG LEE 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).)

KEON JOONG LEE 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 2019, 2020, and 2021. If KEON JOONG LEE 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.

## **S246172**

## **LEWIS ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of LOUISE A. LEWIS, State Bar Number 102792, as a member of the State Bar of California is accepted. If Louise A. Lewis subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against her.

LOUISE A. LEWIS 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. Failure to do so may be considered in any future reinstatement proceeding.

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.

**S247060****CARUTHERS ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of FRANK BURTON CARUTHERS, State Bar Number 65407, as a member of the State Bar of California is accepted.

**S247082****COUSTE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARIE ANTOINETTE COUSTE, State Bar Number 117831, as a member of the State Bar of California is accepted.

**S247087****CUNNIFF ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SARAH ANN CUNNIFF, State Bar Number 130891, as a member of the State Bar of California is accepted.

**S247094****DeCORSO ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NICHOLAS DeCORSO, State Bar Number 91964, as a member of the State Bar of California is accepted.

**S247100****FINKELSTEIN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LEO LOUIS FINKELSTEIN, State Bar Number 99658, as a member of the State Bar of California is accepted.

**S247101****FOLEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CASSANDRA LaNEL FOLEY, State Bar Number 123919, as a member of the State Bar of California is accepted.

**S247102****FOLGEMAN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELIZABETH MOLTZ FOLGEMAN, State Bar Number 101679, as a member of the State Bar of California is accepted.

**S247118****LYNN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANDREA BRYAN LYNN, State Bar Number 91783, as a member of the State Bar of California is accepted.

**S247122****HALSTEAD, JR., ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROLAND WALTER HALSTEAD, JR., State Bar Number 61394, as a member of the State Bar of California is accepted.

**S247127****KNAPP ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of THOMAS ALLEN KNAPP, State Bar Number 77037, as a member of the State Bar of California is accepted.

**S247129****KONECKY ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD M. KONECKY, State Bar Number 73385, as a member of the State Bar of California is accepted.

**S247132****LEVIN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROBERT CRAIG LEVIN, State Bar Number 196172, as a member of the State Bar of California is accepted.

**S247136****MACHTINGER ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LEONARD S. MACHTINGER, State Bar Number 66668, as a member of the State Bar of California is accepted.

**S247138****MANCIA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DIANA LYNN MANCIA, State Bar Number 128182, as a member of the State Bar of California is accepted.

**S247139****MAYER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RUSSELL X MAYER, State Bar Number 93164, as a member of the State Bar of California is accepted.

**S247151****McFARLAND ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CAROL ANNE McFARLAND, State Bar Number 79507, as a member of the State Bar of California is accepted.

**S247152****MURRAY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of VIKKI SUSANNA MURRAY, State Bar Number 80457, as a member of the State Bar of California is accepted.

**S247153****Ter HAAR ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of FRANSWIETE Ter HAAR, State Bar Number 155106, as a member of the State Bar of California is accepted.