

**SUPREME COURT MINUTES
TUESDAY, MARCH 7, 2017
SAN FRANCISCO, CALIFORNIA**

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

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Theodore M. Cropley's representation that the respondent's brief is anticipated to be filed by May 8, 2017, counsel's request for an extension of time in which to file that brief is granted to May 8, 2017. 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).)

S186360**PEOPLE v. RODRIGUEZ
(ANTONIO)**

Extension of time granted

Good cause appearing, and based upon counsel Sharon Fleming's representation that the appellant's opening brief is anticipated to be filed by June 1, 2017, counsel's request for an extension of time in which to file that brief is granted to May 9, 2017. After that date, only one further extension totaling about 23 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).)

S237415**IN RE H.W.**

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 April 7, 2017.

S237491

B266704 Second Appellate District, Div. 2

**PEOPLE v. NEWMAN
(DAVID)**

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.

S238581 B264655 Second Appellate District, Div. 5 **PEOPLE v. GARCIA**
(CLAUDIA T.)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Michelle Livecchi-Raufi is hereby appointed to represent appellant on the appeal now pending in this court.

S222329 B248536 Second Appellate District, Div. 7 **926 NORTH ARDMORE**
AVENUE v. COUNTY OF
LOS
ANGELES

Request for judicial notice granted

Appellant's requests for judicial notice, filed on March 25, 2015, and September 4, 2015, are granted.

Amicus curiae County of Tehama's request for judicial notice, filed on October 16, 2015, is granted.

Amicus curiae California Taxpayers Association's request for judicial notice, filed on October 7, 2015, is granted as to Exhibits A through F but denied as to Exhibits G through I.

S224472 A143195 First Appellate District, Div. 3 **DHILLON (JATINDER) v.**
JOHN MUIR HEALTH

Order filed

Appellant's motion to augment the record, filed on September 1, 2015, is denied.

The request for judicial notice, filed on November 4, 2015, by amicus curiae Sharp Healthcare, is denied.

S240306 **ROBBEN (TODD) 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.

S239411 **WRIGHT ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOSEPH LAMON WRIGHT, State Bar Number 239838, 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 LAMON WRIGHT is suspended from the practice of law for the first six months of

probation (with credit given for the period of interim suspension which commenced on February 2, 2016);

2. JOSEPH LAMON WRIGHT 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 18, 2016; and
3. At the expiration of the period of probation, if JOSEPH LAMON WRIGHT has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOSEPH LAMON WRIGHT 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.

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TUESDAY, MARCH 7, 2017
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, March 7, 2017, at 10:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger.

Officers present: Jorge Navarrete, Clerk Administrator, and Gail Gray, Calendar Coordinator.

S223763 The People, Plaintiff and Appellant,
 v.
 Mario Alberto Gonzalez, Defendant and Respondent.

Cause called. Jennifer Gambale, Court appointed Counsel, argued for Respondent.

Kelli Catlett, Office of the District Attorney, argued for Appellant.

Ms. Gambale replied.
Cause submitted.

S219567 Cherrity Wheatherford, Plaintiff and Appellant,
 v.
 City of San Rafael et al., Defendants and Respondents.

Cause called. Mark T. Clausen argued for Appellant.
Steven L. Mayer argued for Amici Curiae ACLU of Northern California et al.
Richard W. Osman argued for Respondent City of San Rafael.
Renee Giacomini Brewer, Office of the County Counsel, argued for Respondent County of Marin.
Mr. Clausen replied.
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.

Members of the court and officers present as first shown.

S224724

The People, Plaintiff and Respondent,
v.
Rene Gutierrez, Jr., Defendant and Appellant.
And Consolidated Case.

Cause called. Scott Concklin, Court appointed Counsel, argued for Appellants.

A. J. Kutchins, Office of the Attorney State Public Defender, argued for Amicus Curiae Office of the State Public Defender.

Jennifer M. Poe, Office of the Attorney General, argued for Respondent.

Mr. Concklin replied.

Cause submitted.

S219970

The People, Plaintiff and Respondent,
v.
Dennis Terry Martinez, Defendant and Appellant.

Cause called. Michael Pulos, Office of the Attorney General, argued for Respondent.

Thomas E. Robertson, Court Appointed Counsel, argued for Appellant.

Mr. Pulos replied.

Cause submitted.

S076169

The People, Plaintiff and Respondent,
v.
Gerald Parker, Defendant and Appellant.

Cause called. Jeffrey J. Gale, Court Appointed Counsel, argued for
Appellant.
Holly D. Wilkens, Office of the Attorney General, argued for Respondent.

Mr. Gale replied.
Cause submitted.

Court recessed until Wednesday, March 8, 2017, at 10:00 a.m.