

**SUPREME COURT MINUTES
TUESDAY, MARCH 17, 2015
SAN FRANCISCO, CALIFORNIA**

S225099 D067506 Fourth Appellate District, Div. 1 **ARIAS (RICHARD) v. S.C.
(BRYAN)**

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

The time for granting review on the court's own motion is hereby extended to May 27, 2015.
(Cal. Rules of Court, rule 8.512(c).)

S223856 F067838 Fifth Appellate District **PEOPLE v. PAYNE (RANDY
LYNN)**

The time for granting or denying review in the above-entitled matter is hereby extended to
April 20, 2015.

S097668 **PEOPLE v. SHERMANTINE,
JR., (WESLEY HOWARD)**

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 May 18, 2015.

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

Application to file over-length brief granted

Good cause appearing, "appellant's motion for leave to file supplemental brief in excess of
2,800-word limit", filed on March 12, 2015, is granted.

S140795 **PEOPLE v. ESPINOZA
(JOHNNY)**

Application to file over-length brief granted

On the court's own motion, appellant is relieved from default for failure to timely file his
application for permission to file a reply brief in excess of the 47,600 word limit imposed by
California Rules of Court, rule 8.630(b)(1)(C).

Good cause appearing, appellant's "Application for Permission to File an Appellant's Reply Brief
in Excess of the 47,600 Word Limit," filed March 9, 2015, is granted. The reply brief must not
exceed 65,000 words.

S154053**PEOPLE v. RHOADES
(ROBERT BOYD)**

Extension of time granted

Good cause appearing, and based upon counsel Richard Jay Moller's representation that the appellant's opening brief is anticipated to be filed by March 31, 2016, counsel's request for an extension of time in which to file that brief is granted to May 26, 2015. After that date, only six further extensions totaling about 310 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).)

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

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's request for extension of time is 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 June 30, 2015, counsel's request for an extension of time in which to file that brief is granted to April 20, 2015. After that date, only two further extensions totaling 70 additional days are contemplated.

S169689**PEOPLE v. EVANS (STEVE
CARL)**

Extension of time granted

Good cause appearing, and based upon counsel William J. Kopeny's representation that the appellant's opening brief is anticipated to be filed by July 15, 2015, counsel's request for an extension of time in which to file that brief is granted to May 8, 2015. After that date, only one further extension totaling about 60 additional days is contemplated.

S170957**PEOPLE v. BECERRADA
(RUBEN)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David Zarmi's representation that the respondent's brief is anticipated to be filed by June 15, 2015, counsel's request for an extension of time in which to file that brief is granted to May 18, 2015. After that date, only one further extension totaling about 30 additional days is contemplated.

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

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that the appellant's opening brief is anticipated to be filed by December 31, 2015, counsel's request for an extension of time in which to file that brief is granted to April 27, 2015. After that date, only four further extensions totaling about 247 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).)

S178669**PEOPLE v. WYCOFF
(EDWARD MATTHEW)**

Extension of time granted

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

Good cause appearing, and based upon counsel David A. Nickerson's representation that the appellant's opening brief is anticipated to be filed by March 31, 2015, counsel's request for an extension of time in which to file that brief is granted to April 1, 2015. After that date, no further extension is contemplated.

S206963**CRUZ (GERALD DEAN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Assistant State Defender Kathleen M. Scheidel's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 20, 2015, counsel's request for an extension of time in which to file that document is granted to April 20, 2015. After that date, no further extension will be granted.

S214543**EDWARDS (ROBERT MARK)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Sara M. Cohbra's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 15, 2015, counsel's request for an extension of time in which to file that brief is granted to May 15, 2015. After that date, only three further extensions totaling about 155 additional days are contemplated.

S217244**CHATMAN (ERIK SANFORD)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Assistant Federal Defender Bruce D. Livingston's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 15, 2015, counsel's request for an extension of time in which to file that document is granted to May 18, 2015. After that date, only one further extension totaling about 60 additional days is contemplated.

S219534 A136378/A136416 First Appellate District, Div. 3 **KESNER, JR., (JOHNNY
BLAINE) v. S.C. (PNEUMO
ABEX LLC)**

Extension of time granted

On application of Consumer Attorneys of California and good cause appearing, it is ordered that the time to serve and file the application for permission an amicus curiae brief is extended to April 20, 2015.

S219567 A138949 First Appellate District, Div. 1

**WHEATHERFORD
(CHERRITY) v. CITY OF SAN
RAFAEL**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to April 10, 2015. No further extensions are contemplated.

S219919 B246527 Second Appellate District, Div. 5

**HAYER (JOSHUA) v. BNSF
RAILWAY COMPANY**

Extension of time granted

On application of Consumer Attorneys of California and good cause appearing, it is ordered that the time to serve and file the amicus curiae is extended to April 20, 2015.

S220267**CATHY (CHARLES RAY) ON
H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is hereby extended to April 13, 2015.

S221557**WINIARZ (JON) 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 hereby extended to April 20, 2015.

No further extensions of time will be granted.

S221958

E054056 Fourth Appellate District, Div. 2

**PEOPLE v. CANIZALES
(MICHAEL RAFAEL)**

Extension of time granted

On application of appellant, Michael Raphael Canizales and good cause appearing, it is ordered that the time to serve and file the appellant's opening brief on the merits is extended to April 15, 2015.

S224854

B246660 Second Appellate District, Div. 3

VARGAS (JOSE) v. FMI INC.

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is hereby extended to April 3, 2015.

S215265**PARKER (CLAY) v. STATE
OF CALIFORNIA**

Application to appear as counsel pro hac vice granted

The application of Paul D. Clement for admission pro hac vice to appear on behalf of plaintiffs and respondents is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S204545**LINDBERG (GUNNER JAY)
ON H.C.**

Order filed

Good cause appearing, petitioner's "Request for Relief From Default," filed on March 11, 2015, is granted.

S225030**AGUILAR ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROBERT PETER AGUILAR, State Bar Number 30633, as a member of the State Bar of California is accepted.

ROBERT PETER AGUILAR 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.

S225031**BAILEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CARL DAVID BAILEY, State Bar Number 121310, as a member of the State Bar of California is accepted.

CARL DAVID BAILEY 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.

S225032**BRENNER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEVEN G. BRENNER, State Bar Number 60653, as a member of the State Bar of California is accepted.

STEVEN G. BRENNER 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.

S225033**DONG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NELSON GAMMING DONG, State Bar Number 60982, as a member of the State Bar of California is accepted.

NELSON GAMMING DONG 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.

S225034**HALL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KIMBERLY SACHIKO HALL, State Bar Number 168893, as a member of the State Bar of California is accepted.

KIMBERLY SACHIKO HALL 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.

S225035**IZOR ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL H. IZOR, State Bar Number 102318, as a member of the State Bar of California is accepted.

PAUL H. IZOR 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.

S225036**ARNOLD ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RACHEL RUTH ARNOLD, State Bar Number 202629, as a member of the State Bar of California is accepted.

RACHEL RUTH ARNOLD 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.

S225037**GOLDBERG ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WENDY A. GOLDBERG, State Bar Number 93510, as a member of the State Bar of California is accepted.

WENDY A. GOLDBERG 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.

S225038**GORHAM ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of AMANDA PAIGE GORHAM, State Bar Number 71006, as a member of the State Bar of California is accepted.

AMANDA PAIGE GORHAM 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.

S225039**MORDECAI ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JUDITH LYNN MORDECAI, State Bar Number 188466, as a member of the State Bar of California is accepted.

JUDITH LYNN MORDECAI 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.

B262397

Second Appellate District

**KLEIN (CONRAD LEE) v.
FIDUCIARY TRUST
INTERNATIONAL**

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

B262630

Second Appellate District

**FIDUCIARY TRUST
INTERNATIONAL OF
CALIFORNIA v. S.C.**

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