SUPREME COURT MINUTES WEDNESDAY, MARCH 20, 2019 SAN FRANCISCO, CALIFORNIA

S126560

PEOPLE v. ARMSTRONG (JAMELLE EDWARD)

Rehearing denied

S253823 A154670 First Appellate District, Div. 2

PEOPLE v. JACKSON (KEIJONA MICHAEL)

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. McKenzie*, S251333 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S253939 D074508 Fourth Appellate District, Div. 1 COROTHERS (DONTE) ON H.C.

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Cook on Habeas Corpus*, S240153, (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S253936

DEHOYOS (RICHARD LUCIO) v. S.C. (PEOPLE)

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, with directions to issue an alternative writ

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its January 31, 2019, order denying the petition for writ of mandate and to issue an alternative writ, to be heard before that court when the proceeding is ordered on calendar, with respect to the three jurors who previously discussed the case with petitioner's investigators. (See Exhibits 26, 27; see also *Townsel v. Superior Court*

(1999) 20 Cal.4th 1084, 1097; Code Civ. Proc., § 206, subd. (g).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S252942 G055391 Fourth Appellate District, Div. 3 PEOPLE v. McCLINTON (LAMAR)

Petition for review denied; CA opinion decertified

The petition for review is denied.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed on November 30, 2018, which appears at 29 Cal.App.5th 738. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S253110 B282765 Second Appellate District, Div. 6 IN RE T.M.

Petition for review denied

S253277 A149878/A151644 First Appellate District, Div. 5 PEOPLE v. DOUGLAS

(GIOVONTE)

Petitions for review denied

S253278 A152515 First Appellate District, Div. 5 DOUGLAS (GIOVONTE) ON

H.C.

Petition for review denied

S253411 H043411 Sixth Appellate District PEOPLE v. PINEDA

(ARNULFO)

Petition for review denied

S253421 B285164 Second Appellate District, Div. 8 PEOPLE v. PATTON

(PERRELL C.)

Petition for review denied

Liu, Cuéllar, and Groban, JJ., are of the opinion the petition should be granted and the matter transferred to the Court of Appeal for reconsideration.

S253467 PEOPLE v. ROBINS

(RONALD L.)

S253486 E069526 Fourth Appellate District, Div. 2 LAVOIE (JOSEPH) ON H.C.

Petition for review denied

S253487 E068328 Fourth Appellate District, Div. 2 PEOPLE v. LAVOIE (JOSEPH

CHRISTOPHER)

Petition for review denied

S253513 IRAHETA (CARLOS) v.

COURT OF APPEAL, SECOND APPELLATE

DISTRICT, DIVISION THREE

(PEOPLE)

Petition for writ of mandate/prohibition denied

Liu and Groban, JJ., is of the opinion the petition should be granted.

S253532 F075679 Fifth Appellate District PEOPLE v. HALL (CANDEE

JEAN)

Petition for review denied

S253560 B270877 Second Appellate District, Div. 1 PEOPLE v. TSENG (HSIU

YING LISA)

Petition for review denied

S253571 D075115 Fourth Appellate District, Div. 1 CONTRERAS (LEONEL) v.

S.C. (PEOPLE)

Petition for review denied

S253592 B267488 Second Appellate District, Div. 3 PEOPLE v. STATON

(MICHAEL)

Petition for review denied

S253594 LAKE ELSINORE, CITY OF

v. PUBLIC UTILITIES

COMMISSION (SOUTHERN

CALIFORNIA EDISON

COMPANY)

S253599 B291004 Second Appellate District, Div. 2 PEOPLE v. BELMONTE (JOSE)

Petition for review denied

S253632 B289821 Second Appellate District, Div. 6 IN RE A.A.

Petition for review denied

S253635 H041830 Sixth Appellate District PEOPLE v. LEE (JAMES

FRANCIS)

Petition for review denied

S253639 H045473 Sixth Appellate District LEE (JAMES FRANCIS) ON

H.C.

Petition for review denied

S253642 D074455 Fourth Appellate District, Div. 1 PEOPLE v. ROBERTS (JAIMI

TERESA)

Petition for review denied

S253648 B280922 Second Appellate District, Div. 7 PEOPLE v. BEE (VICTOR)

Petitions for review denied

\$253687 A150132/A150134/A150135/A150138

First Appellate District, Div. 5

MECHLING (WILLIAM) v.

ASBESTOS DEFENDANTS;

FIREMAN'S FUND

INSURANCE COMPANY

Petition for review denied

The requests for judicial notice are granted.

Chin, J., was recused and did not participate.

S253704 F075246 Fifth Appellate District **IN RE A.J.**

S253713 C079254 Third Appellate District WASZCZUK (JAROSLAW) v.

CALIFORNIA

UNEMPLOYMENT

INSURANCE APPEALS

BOARD (THE REGENTS OF

THE UNIVERSITY OF

CALIFORNIA)

Petition for review denied

Groban, J., was recused and did not participate.

S253745 B289036 Second Appellate District, Div. 6 PEOPLE v. IMIG (JOSHUA

RANDALL)

Petition for review denied

S253759 D074466 Fourth Appellate District, Div. 1 PEOPLE v. QUARLES (NIKKO JOVAR)

Petition for review denied

S253799 C088621 Third Appellate District SCACCIA (BRIAN) v. S.C.

(SUTTER HEALTH

SACRAMENTO SIERRA

REGION)

Petition for review denied

S253808 C086696 Third Appellate District PEOPLE v. SPILLERS

(JOSEPH DEANDREA)

Petition for review denied

S253813 D075176 Fourth Appellate District, Div. 1 FADDIS (GUILLERMO) v.

S.C. (PEOPLE)

Petition for review denied

S253837 H045049 Sixth Appellate District DRULIAS (DEAN) v. 1ST

CENTURY BANCSHARES,

INC.

Petition for review denied

The application to appear as counsel pro hac vice is granted.

S253838 Petition for rev	C085728 Third Appellate District	PEOPLE v. CAMPBELL (RAYMOND WILLIAM)
S253855 Petition for rev	C088495 Third Appellate District	MALLORY (SHAWN DENNETTE) ON H.C.
S253871 Petition for rev	D074456 Fourth Appellate District, Div. 1	PEOPLE v. GUERNON (ROBERT MICHAEL)
S253946 Petition for rev	D074180 Fourth Appellate District, Div. 1	PEOPLE v. JIMENEZ, JR., (AGUSTIN)
S253963 Petition for rev	A152206 First Appellate District, Div. 2 view denied	PEOPLE v. DANIEL, JR., (RICHARD STEVEN)
S253969 Petition for rev	C082183 Third Appellate District view denied	PEOPLE v. SULLIVAN (STEFAN FRANZ)
S253972 Petition for rev	C078083 Third Appellate District	PEOPLE v. McPHERSON (MICHAEL ROBERT)
S253974 A151720/A152650 First Appellate District, Div. 5 PEOPLE v. SANDEFUR (JASON I.) Petition for review denied		
S253976	G057274 Fourth Appellate District, Div. 3	MARTINEZ (MARIANO) ON H.C.

S253977 C085752 Third Appellate District IN RE J.S.

Petition for review denied

S253979 H046238 Sixth Appellate District WILEY (GEORGE EMANUEL) ON H.C.

Petition for review denied

S253980 E068741 Fourth Appellate District, Div. 2 PEOPLE v. PEREZ (ANTHONY)

Petition for review denied

S253988 B288002 Second Appellate District, Div. 1 PEOPLE v. HATHAWAY (MATTHEW EDMUND)

Petition for review denied

S253989 D073337 Fourth Appellate District, Div. 1 PEOPLE v. BARELA, JR., (JESSE ORLANDO)

Petition for review denied

S253993 G055126 Fourth Appellate District, Div. 3 PEOPLE v. BURNS (PRICE RAY)

Petition for review denied

S253998 G055206 Fourth Appellate District, Div. 3 PEOPLE v. MOJARRA (RENE)

Petition for review denied

S253999 H044621 Sixth Appellate District PEOPLE v. FOWLER (VINCENT TYRONE)

Petition for review denied

S254001 A150834 First Appellate District, Div. 5 PEOPLE v. GUZMAN

(LAZARO B.)

S254007 C088710 Third Appellate District FECTEAU (RICHARD HENRI) ON H.C.

Petition for review denied

S254008 B287329/B289429 Second Appellate District, Div. 1 PRYOR (VALERIE) v.

FITNESS INTERNATIONAL,

LLC

Petition for review denied

S254010 C088615 Third Appellate District NICKERSON (JOSHUA MARQUISE) ON H.C.

Petition for review denied

S254017 A150529 First Appellate District, Div. 3 PEOPLE v. GORDON

(SHERRI)

Petition for review denied

S254018 G054522 Fourth Appellate District, Div. 3 YU (BANN-SHIANG LIZA) v.

LIBERTY SURPLUS

INSURANCE CORPORATION

Petition for review denied

Corrigan, J., was recused and did not participate.

S254019 A156237 First Appellate District, Div. 3 DIAZ (OSCAR GUADRON) v.

S.C. (PEOPLE)

Petition for review denied

S254020 A149139 First Appellate District, Div. 2 PEOPLE v. NELSON (MARK

ANTHONY)

Petition for review denied

S254022 C085808 Third Appellate District PEOPLE v. DINH (MINH

SINDEY)

S254025 H044308 Sixth Appellate District PEOPLE v. RUIZ (ALONSO) Petition for review denied S254027 A144481 First Appellate District, Div. 4 PEOPLE v. YOUNG (CHARLES DAVIS) Petition for review denied A150775 First Appellate District, Div. 2 PEOPLE v. McNATT S254034 (CHRISTOPHER MICHAEL) Petition for review denied D073595 Fourth Appellate District, Div. 1 S254035 PEOPLE v. KIM (JONATHAN) Petition for review denied S254036 C080236 Third Appellate District PEOPLE v. GARRETT (JOYCE MIGNON) Petition for review denied PEOPLE v. MORENO S254038 D073234 Fourth Appellate District, Div. 1 (RAYMOND) Petition for review denied S254045 **SHERMAN (WILLIE** CLARENCE) v. S.C. (PEOPLE) Petition for writ of mandate/prohibition denied S254047 G057060 Fourth Appellate District, Div. 3 PEOPLE v. LOPEZ (ARTHUR)

S254052 C086470 Third Appellate District IN RE GABRIEL W. Petition for review denied

S254059 HADLEY (LEONARD E.) v. S.C. (PEOPLE)

Petition for writ of mandate/prohibition denied

S254060 D074720 Fourth Appellate District, Div. 1 PEOPLE v. KARIMI (MARTIN PARVIZ)

Petition for review denied

S254062 H046245 Sixth Appellate District BAILEY (JASPER) ON H.C.

Petition for review denied

S254065 C086567 Third Appellate District PEOPLE v. GARNER (JAMES

HAROLD)

Petition for review denied

S254067 B286609 Second Appellate District, Div. 2 SMYTH (JAMES) v. BERMAN

(DARYL ANN)

Petition for review denied

S254077 E070138 Fourth Appellate District, Div. 2 IN RE A.V.

Petition for review denied

S254082 A152030 First Appellate District, Div. 4 PEOPLE v. RODRIGUEZ

(PEDRO LUIS)

Petition for review denied

S254086 B286730 Second Appellate District, Div. 7 O'GARA COACH COMPANY,

LLC v. RA (JOSEPH)

Petition for review denied

S254088 THOMAS (KEITH) v. COURT

OF APPEAL, FOURTH APPELLATE DISTRICT, DIVISION ONE (PEOPLE)

Petition for writ of mandate/prohibition denied

S254255 B295374 Second Appellate District, Div. 4

GARCIA (RICARDO D.) v.

S.C. (PEOPLE)

Petition for review denied

S246524 McCUTCHEN (KAYL GERARD) ON H.C.

Petition for writ of habeas corpus denied

S249770 PAYNE (STEVIE RODNEY)

ON H.C.

Petition for writ of habeas corpus denied

S251244 ROBINSON (MICHAEL CHRISTOPHER) ON H.C.

Petition for writ of habeas corpus denied

S251361 MORRIS (AVERY) ON H.C.

Petition for writ of habeas corpus denied

S251387 REMMERT (SHIRLEY V.) ON

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S251456 FISHER (HILTON INGRAM) ON H.C.

Petition for writ of habeas corpus denied

S251680 THOMAS (GEORGE RAY)
ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S251682 HARRISON (JEWEL) ON H.C.

Petition for writ of habeas corpus denied

S251785 VAUGHN (FRANK

DERRELL) ON H.C.

Petition for writ of habeas corpus denied

S251818 WALKER (JAMES E.) ON

H.C.

Petition for writ of habeas corpus denied

S251863 MANCILLA (MANUEL

GEORGE) ON H.C.

Petition for writ of habeas corpus denied

S251865 LANGLEY (RANDY W.) ON

H.C.

Petition for writ of habeas corpus denied

S251868 RUBINO (ROBERT M.) ON

H.C

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S251889 ISRAEL (MAX LEE) ON H.C.

Petition for writ of habeas corpus denied

S251921 MADURO, JR., (MICHAEL

ANTHONY) ON H.C.

Petition for writ of habeas corpus denied

S251974 XIONG (TOU VANG) ON H.C.

S251993 BELL (RONNIE O.) ON H.C.

Petition for writ of habeas corpus denied

S252009 JONES (HOLLIE) ON H.C.

Petition for writ of habeas corpus denied

S252027 DAVIS (RICHARD) ON H.C.

Petition for writ of habeas corpus denied

S252039 GREEN (WILLIAM) ON H.C.

Petition for writ of habeas corpus denied

S252044 BLACHER (MARLON) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S252052 GUERRERO (DAVID) ON

H.C.

Petition for writ of habeas corpus denied

S252073 LEONARD (CHAD C.) ON

H.C.

Petition for writ of habeas corpus denied

S252087 VILLEGAS (MIGUEL

ANGEL) ON H.C.

Petition for writ of habeas corpus denied

S252089 JACKSON (WILLIAM

HENRY) ON H.C.

BALZARINI (ST. MICHAEL) ON H.C.

Petition for writ of habeas corpus denied

S252112

ARCHULETA (MICHAEL) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

S252113

MARIN (DONNELL LAKEY) ON H.C.

Petition for writ of habeas corpus denied

S252124

PRECIADO (SAUL B.) ON H.C.

The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063, 1066 [habeas corpus relief is unavailable where the petitioner is not in the custody of California authorities as a result of the challenged conviction]; *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely].)

S252126

KING, JR., (ALFRED HORACE) ON H.C.

Petition for writ of habeas corpus denied

S252130

RUSSELL, JR., (LESTER

CHARLES) ON H.C.

Petition for writ of habeas corpus denied

S252132

MOLINA (LIONEL J.) ON

H.C.

DUKES (MELVIN) ON H.C.

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S252194 BAZLEY (MICHAEL) ON H.C.

Petition for writ of habeas corpus denied

S252199 GRANADO (ADAM MATTHEW) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely].)

S252200 AGNEW (JILBRAUN DANDTON) ON H.C.

Petition for writ of habeas corpus denied

S252202 FLEMINGS (KEVIN TYRONE) ON H.C.

Petition for writ of habeas corpus denied

S252203 WRIGHT (MUSTAFA ABDULLAH) ON H.C.

Petition for writ of habeas corpus denied

S252240 BROWN (WILLIAM) ON H.C.

Petition for writ of habeas corpus denied

S252296 AUGUSTINE (KEITH) ON

H.C.

MEZA (VICTOR) ON H.C.

Petition for writ of habeas corpus denied

S252407

BALZARINI (ST. MICHAEL) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S253430

REMMERT (SHIRLEY V.) ON

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

S253695

PRECIADO (SAUL B.) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S253797

ARCHULETA (MICHAEL)

ON H.C.

Petition for writ of habeas corpus denied

S253534

G055049 Fourth Appellate District, Div. 3

McELWAIN (CHERYL) v. KAISER FOUNDATION

HOSPITALS

Publication requests denied (case closed)

S253740 B278003/B279044 Second Appellate District, Div. 3 SP INVESTMENT FUND III, LLC v. ZELL (WILLIAM A.)

Publication requests denied (case closed)

S253833

B281994 Second Appellate District, Div. 5

GLENDALE COALITION

FOR BETTER

GOVERNMENT v. CITY OF

GLENDALE

Publication requests denied (case closed)

S254688 F072599 Fifth Appellate District JIMENEZ-SANCHEZ (FERNANDO) v. DARK HORSE EXPRESS, INC.

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

The time for ordering review on the court's own motion is hereby extended to June 14, 2019. (Cal. Rules of Court, rule 8.512(c).)

S252702 F075101 Fifth Appellate District PEOPLE v. HENSON (CODY WADE)

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to April 17, 2019.

S254228 C088843 Third Appellate District WADE (CHANCELLOR) v.

S.C. (PEOPLE)

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is extended to and including April 8, 2019. Petitioner's reply will be due on April 18, 2019. No further requests for extension of time will be granted.

S253687 A150132/A150134/A150135/A150138

First Appellate District, Div. 5

MECHLING (WILLIAM) v. **ASBESTOS DEFENDANTS**; FIREMAN'S FUND **INSURANCE COMPANY**

Order filed

Appellants' application for permission to reply to opposition filed on March 19, 2019, is hereby denied.

HILL (NATHAN) v. S.C. (PEOPLE)

Transferred to Court of Appeal, Second Appellate District

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

S254289

BERTRAM (TIMOTHY) v. S.C. (PEOPLE)

Transferred to Court of Appeal, Fourth Appellate District, Division Three

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, 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.

S254012

ACCUSATION OF ASCARIE

Petition denied (accusation)

BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,411)

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)