

**SUPREME COURT MINUTES
THURSDAY, MARCH 23, 2017
SAN FRANCISCO, CALIFORNIA**

S224985

**CARMACK (JOHN M.) v.
REYNOLDS (RICK
H.)/(FREALLY)**

Opinion filed

We conclude that a bankruptcy trustee, standing as a hypothetical judgment creditor, can reach a beneficiary's interest in a trust that pays entirely out of principal in two ways. It may reach up to the full amount of any distributions of principal that are currently due and payable to the beneficiary, unless the trust instrument specifies that those distributions are for the beneficiary's support or education and the beneficiary needs those distributions for either purpose. Separately, the bankruptcy trustee can reach up to 25 percent of any anticipated payments made to, or for the benefit of, the beneficiary, reduced to the extent necessary by the support needs of the beneficiary and any dependents.

Majority Opinion by Liu, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Cuéllar, and Kruger, JJ.

S231171

D067554 Fourth Appellate District, Div. 1

**PEOPLE v. GONZALES
(GIOVANNI)**

Opinion filed: Judgment reversed

We reverse the Court of Appeal's judgment. The matter is remanded with direction that it be returned to the trial court for further proceedings consistent with the holding here.

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Werdegar, Cuéllar, and Kruger, JJ.

Dissenting Opinion by Chin, J.

-- joined by Liu, J.

S239713

F065807 Fifth Appellate District

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

The time for granting or denying review in the above-entitled matter is hereby extended to April 26, 2017.

S239454 B265614 Second Appellate District, Div. 4 **PEOPLE v. PADILLA**
(MARIO SALVADOR)

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 26, 2017.

S238797 B260824 Second Appellate District, Div. 1 **PEOPLE v. LEARNARD**
(CHADWICK VERNON)

Counsel appointment order filed

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

S220280 H039825 Sixth Appellate District **IN RE A.S.**
Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S227665 C075352 Third Appellate District **PEOPLE v. FISCH (SEAN**
MICHAEL)

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S229205 A140435 First Appellate District, Div. 2 **PEOPLE v. GUZMAN (JESUS**
MACIAS)

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S229265 C077746 Third Appellate District**PEOPLE v. ENDICOTT, JR.,
(TIMOTHY EUGENE)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S230301 A143437 First Appellate District, Div. 1**IN RE JONATHAN L.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S230961 H040838 Sixth Appellate District**PEOPLE v. CHIANG (SHENG
HUANG)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S231723 A141836 First Appellate District, Div. 1**PEOPLE v. GAINES (DERON
DIAMOND)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S232382 A144612 First Appellate District, Div. 1**PEOPLE v. SCHNEIDER
(MICHAEL THEODORE)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S232851 A143728 First Appellate District, Div. 1**PEOPLE v. MOORE
(MICHAEL STUART)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S234295 A143376 First Appellate District, Div. 5**IN RE R.C.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S234928 A145340 First Appellate District, Div. 2**IN RE E.N.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S235635 H041847 Sixth Appellate District**PEOPLE v. NICE (STEVEN
ANDREW)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S236327 A144172/A145148 First Appellate District, Div. 2 **IN RE LARRY N.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety: Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S237208 A145411 First Appellate District, Div. 4 **IN RE ANA C.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., transferring this matter to the court of appeal for reconsideration is hereby amended to read in its entirety:

Review in the above-captioned matter is transferred to the Court of Appeal, First Appellate District, Division Four, for reconsideration in light of the decision in *People v. Hall* (2017) 2 Cal.5th 494. (Cal. Rules of Court, Rule 8.528(d).)

S238034 A147225 First Appellate District, Div. 1 **IN RE D.W.**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S238344 C079346/C079492 Third Appellate District **PEOPLE v. BISHOP
(CYNTHIA JENNIFER)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S238688 D070173 Fourth Appellate District, Div. 1 **PEOPLE v. PEREZ (BRIAN)**

Order filed

The order filed on March 22, 2017, signed by Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ., dismissing review is hereby amended to read in its entirety:

Review in the above-captioned matter, which was granted and held for *People v. Hall* (2017) 2 Cal.5th 494, is hereby dismissed. (Cal. Rules of Court, Rule 8.528(b).)

S239549 **CAMERON ON DISCIPLINE**

Recommended discipline imposed

The court orders that NICHOLAS K. CAMERON, State Bar Number 236607, 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. NICHOLAS K. CAMERON is suspended from the practice of law for the first three months of probation;
2. NICHOLAS K. CAMERON must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on

November 15, 2016; and

3. At the expiration of the period of probation, if NICHOLAS K. CAMERON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

NICHOLAS K. CAMERON 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).)

NICHOLAS K. CAMERON 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.

S239566

URBAN ON DISCIPLINE

Recommended discipline imposed

The court orders that ALEKSANDRA URBAN, State Bar Number 277475, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. ALEKSANDRA URBAN is suspended from the practice of law for the first 30 days of probation;
2. ALEKSANDRA URBAN 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 December 5, 2016; and
3. At the expiration of the period of probation, if ALEKSANDRA URBAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ALEKSANDRA URBAN 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. One-half of the costs must be paid with her membership fees for each of the years 2018 and 2019. If ALEKSANDRA URBAN 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.

S239569**ROSE ON DISCIPLINE**

Recommended discipline imposed

The court orders that RUTH CECILIA ROSE, State Bar Number 145887, 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 three years subject to the following conditions:

1. RUTH CECILIA ROSE is suspended from the practice of law for the first 90 days of probation;
2. RUTH CECILIA ROSE 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 December 6, 2016; and
3. At the expiration of the period of probation, if RUTH CECILIA ROSE has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RUTH CECILIA ROSE 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).)

RUTH CECILIA ROSE 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 her membership fees for each of the years 2018, 2019, and 2020. If RUTH CECILIA ROSE 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.

S239570**PRICHARD ON DISCIPLINE**

Recommended discipline imposed

The court orders that DONALD LEE PRICHARD, State Bar Number 186729, 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. DONALD LEE PRICHARD is suspended from the practice of law for the first six months of probation;
2. DONALD LEE PRICHARD 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 30, 2016; and
3. At the expiration of the period of probation, if DONALD LEE PRICHARD has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DONALD LEE PRICHARD 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).)

DONALD LEE PRICHARD 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 2018, 2019, and 2020. If DONALD LEE PRICHARD 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.

S240689**BROOKS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM TINLEY BROOKS, State Bar Number 37824, as a member of the State Bar of California is accepted.

S240702**LaGROTTA ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RORY LAGROTTA, State Bar Number 244694, as a member of the State Bar of California is accepted.

RORY LAGROTTA 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.

S240705**LYONS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of AMY W. LYONS, State Bar Number 103052, as a member of the State Bar of California is accepted.

AMY W. LYONS 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.

S240706**BRIGGS, JR., ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of TEMPLETON BRIGGS, JR., State Bar Number 59173, as a member of the State Bar of California is accepted.

TEMPLETON BRIGGS, JR., 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.

S240707**FAIR ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of EDWARD ZANE FAIR, State Bar Number 119715, as a member of the State Bar of California is accepted.

EDWARD ZANE FAIR 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.

S240708**GUETZ ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BURTON WALTER GUETZ, State Bar Number 131846, as a member of the State Bar of California is accepted.

BURTON WALTER GUETZ 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.

S240709**HANKINS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RICHARD ALAN HANKINS, State Bar Number 85629, as a member of the State Bar of California is accepted.

RICHARD ALAN HANKINS 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.

S240740**MANN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JESSICA RUTH MANN, State Bar Number 228102, as a member of the State Bar of California is accepted.

JESSICA RUTH MANN 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.

S240741**OLSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELAINE JEWELL OLSON, State Bar Number 72156, as a member of the State Bar of California is accepted.

S240742**SELBY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEVEN LESLIE SELBY, State Bar Number 94700, as a member of the State Bar of California is accepted.

S240744**STRAWN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of TAMARRA LYNN STRAWN, State Bar Number 215672, as a member of the State Bar of California is accepted.

TAMARRA LYNN STRAWN 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.

S240745**HOFREITER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LARRY WALTER HOFREITER, State Bar Number 90750, as a member of the State Bar of California is accepted.

LARRY WALTER HOFREITER 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.

S240746**MALCHICK ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BARBARA LOU MALCHICK, State Bar Number 101799, as a member of the State Bar of California is accepted.

BARBARA LOU MALCHICK 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.

S240747**TUCKERMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CYNTHIA JAN TUCKERMAN, State Bar Number 102230, as a member of the State Bar of California is accepted.

CYNTHIA JAN TUCKERMAN 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.

S240748**WILLIAMS ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KENNETH ALAN WILLIAMS, State Bar Number 124043, as a member of the State Bar of California is accepted.

KENNETH ALAN WILLIAMS 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.

S240749**WILLIAMSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GEORGE EUGENE WILLIAMSON, State Bar Number 106484, as a member of the State Bar of California is accepted.

GEORGE EUGENE WILLIAMSON 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.