

**SUPREME COURT MINUTES
THURSDAY, MAY 16, 2019
SAN FRANCISCO, CALIFORNIA**

S046848**PEOPLE v. DALTON (KERRY
LYN)**

Opinion filed

For the reasons above, we vacate as unauthorized the death sentence imposed (and stayed) on the conspiracy to commit murder count (Count I). We further vacate the lying in wait special-circumstance true finding. We remand to the trial court, and direct the court to state on an amended abstract of judgment a sentence of imprisonment for 25 years to life, stayed pursuant to section 654, on the conspiracy count (Count I), and to strike the lying in wait special-circumstance true finding. We affirm the judgment, as modified, in all other respects.

Majority Opinion by Liu, J.

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

S255784

C079835 Third Appellate District

**NATIONAL ASIAN
AMERICAN COALITION v.
NEWSOM (GAVIN C.)**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to June 17, 2019.

S254226

F074952 Fifth Appellate District

**DHILLON (MANMOHAN) v.
ANHEUSER-BUSCH, LLC**

Application to appear as counsel pro hac vice granted

The application of Frank T. Davis, Jr., for admission pro hac vice to appear on behalf of Dhillon Manmohan, Pabla Satnam, Serge Haitayan, Daljit Singh, and Par Ventures, LLC, is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S254226

F074952 Fifth Appellate District

**DHILLON (MANMOHAN) v.
ANHEUSER-BUSCH, LLC**

Application to appear as counsel pro hac vice granted

The application of Joseph Goldberg for admission pro hac vice to appear on behalf of Dhillon

Manmohan, Satnam Pabla, Serge Haitayan, Daljit Singh, and Par Ventures, LLC, is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S254776**SANFORD ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARIA ADRIANA SANFORD (Respondent), State Bar Number 235496, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 30 days of probation;
2. Respondent 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 January 28, 2019; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on January 28, 2019. 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-third of the costs must be paid with Respondent's membership fees for each of the years 2020, 2021, and 2022. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

S254782**SIZEMORE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PATRICK ARTHUR SIZEMORE (Respondent), State Bar Number 62803, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court:

- (1) Debra Buccieri in the amount of \$371.00 plus 10 percent interest per year from August 11, 2015;
- (2) Joanne Murphy in the amount of \$8,191.52 plus 10 percent interest per year from October 22, 2015; and
- (3) Cynthia Bockwitz in the amount of \$5,545.29 plus 10 percent interest per year from April 5, 2016.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

Respondent 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.

S254783**SALEM ON DISCIPLINE**

Recommended discipline imposed

The court orders that EDMOND ELIAS SALEM (Respondent), State Bar Number 228274, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 11, 2018; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Decision filed on December 11, 2018. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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.

S254784**NA ON DISCIPLINE**

Recommended discipline imposed

The court orders that SHEEN MYONG NA (Respondent), State Bar Number 106541, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first two years of probation, and Respondent will remain suspended until the following requirements are satisfied:
 - i. Respondent makes restitution to the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburses the Client Security Fund, to the extent of any payment from the Fund to such payee, 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:
 - (1) Edwin Chacon in the amount of \$3,000 plus 10 percent interest per year from October 19, 2015; and
 - (2) Felipa Velasquez in the amount of \$1,500 plus 10 percent interest per year from August 7, 2012, and \$800 plus 10 percent interest per year from August 22, 2016.
 - ii. Respondent provides proof to the State Bar Court of rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. Respondent must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on February 1, 2019.
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Review Department in its Opinion filed on February 1, 2019. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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.

S254799**COATS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD DENNIS COATS (Respondent), State Bar Number 117285, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

S254800**CONTOS ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN RICHARD CONTOS (Respondent), State Bar Number 56782, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 30 days of probation;
2. Respondent 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 February 4, 2019; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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.

S254801**HOLMES ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK DANIEL HOLMES (Respondent), State Bar Number 156660, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 16, 2019; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on January 16, 2019. 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.

S254802**KAPLAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK VINCENT KAPLAN (Respondent), State Bar Number 58836, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 28, 2019; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on January 28, 2019. 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.

S254803**LEE ON DISCIPLINE**

Recommended discipline imposed

The court orders that EDWARD JOON LEE (Respondent), State Bar Number 221940, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 60 days of probation;
2. Respondent 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 January 23, 2019; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on January 23, 2019. 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.

S254806**SMITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that SPENCER FREEMAN SMITH (Respondent), State Bar Number 236587, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first six months of probation;
2. Respondent must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on February 12, 2019; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Review Department in its Opinion filed on February 12, 2019. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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.

S254808**LEE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that TERRENCE LEE, State Bar Number 306333, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

TERRENCE 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.

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.