

**SUPREME COURT MINUTES  
THURSDAY, MAY 26, 2016  
SAN FRANCISCO, CALIFORNIA**

**S077524****PEOPLE v. SALAZAR  
(MAGDALENO)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Corrigan, J.

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

Concurring Opinion by Cuéllar, J.

**S217699**      A135607 First Appellate District, Div. 3**PEOPLE v. FRANKLIN  
(TYRIS LAMAR)**

Opinion filed: Judgment affirmed in full

For the reasons above, we affirm Franklin's sentence but remand the matter to the Court of Appeal with instructions to remand to the trial court for the limited purpose of determining whether Franklin was afforded an adequate opportunity to make a record of information that will be relevant to the Board as it fulfills its statutory obligations under section 3051 and 4801.

Majority Opinion by Liu, J.

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

Concurring and Dissenting Opinion by Werdegar, J.

**S223651****RICHARDS (WILLIAM) ON  
H.C.**

Opinion filed

The petition for writ of habeas corpus is granted. The judgment of the San Bernardino County Superior Court in *People v. William Richard*, No. SWHSS700444, is vacated.

Majority Opinion by Cantil-Sakauye, C. J.

-- joined by Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

Concurring Opinion by Corrigan, J.

Concurring Opinion by Liu, J.

**S233181**      B260035 Second Appellate District, Div. 6**LOVE (LEE ANDRE) v.  
CALIFORNIA HIGHWAY  
PATROL**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2016.

**S233223**      D065101 Fourth Appellate District, Div. 1      **PEOPLE v. GARCIA (JERSON H.)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2016.

**S233228**      F069588 Fifth Appellate District      **PEOPLE v. DOBSON (STEVEN JAY)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 1, 2016.

**S233327**      D069916 Fourth Appellate District, Div. 1      **SPELLS (CHRISTOPHER LEON) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2016.

**S233350**      A141851 First Appellate District, Div. 5      **PEOPLE v. SULLIVAN (CARL OTIS)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 1, 2016.

**S233398**      G051809 Fourth Appellate District, Div. 3      **KOCONTES (LONNIE LOREN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 28, 2016.

**S233413**      H043271 Sixth Appellate District      **HUGHES (MICHAEL) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to June 28, 2016.

**S233431**      B270584 Second Appellate District, Div. 2      **FABRICANT (DANNY) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to June 30, 2016.

**S233459**      B270952 Second Appellate District, Div. 6      **PEOPLE v. S.C. (MARCUS)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
June 30, 2016.

**S233480**      C078403 Third Appellate District      **PEOPLE v. BYRD (TIMMY LEE)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 1, 2016.

**S233526**      D067383 Fourth Appellate District, Div. 1      **SWEETWATER UNION  
SCHOOL DISTRICT v.  
GILBANE BUILDING  
COMPANY**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 1, 2016.

**S233549**      A147245 First Appellate District, Div. 2      **ALLEN (DONALD GUS) ON  
H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 5, 2016.

**S233582**      H040980 Sixth Appellate District      **PEOPLE v. ARREDONDO  
(MARCUS)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 6, 2016.

**S233602**      B257249/B262234 Second Appellate District, Div. 8      **PEOPLE v. CHAPMAN  
(CARL)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 6, 2016.

**S233609**      D067789 Fourth Appellate District, Div. 1      **PEOPLE v. REALMUTO  
(PETER R.)**  
The time for granting or denying review in the above-entitled matter is hereby extended to  
July 6, 2016.

**S233628**      A147742 First Appellate District, Div. 3      **NGUYEN (HUNG) ON H.C.**  
The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2016.

**S029843**      **PEOPLE v. BECK (JAMES DAVID) & CRUZ (GERALD DEAN)**

Extension of time granted  
Good cause appearing, and based upon counsel William T. Lowe's representation that appellant Gerald Dean Cruz's supplemental reply brief is anticipated to be filed by July 14, 2016, counsel's request for an extension of time in which to file that brief is granted to July 14, 2016. After that date, no further extension is contemplated.

**S161781**      **PEOPLE v. THOMAS (JUSTIN HEATH)**

Extension of time granted  
Good cause appearing, and based upon counsel John L. Staley's representation that the appellant's reply brief is anticipated to be filed by January 17, 2017 counsel's request for an extension of time in which to file that brief is granted to July 19, 2016. After that date, only three further extensions totaling about 181 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).)

**S195828**      **PEOPLE v. VILLA (RICARDO)**

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 July 26, 2016.

**S200982**      **PEOPLE v. RONQUILLO (GABRIEL ALEXANDER)**

Extension of time granted  
Good cause appearing, and based upon counsel Conrad Petermann's representation that the appellant's opening brief is anticipated to be filed by October 15, 2016, counsel's request for an extension of time in which to file that brief is granted to July 26, 2016. After that date, only two further extensions totaling about 80 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).)

**S217150****COOK (JOSEPH LLOYD) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Arlene A. Sevidal's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by August 23, 2016, counsel's request for an extension of time in which to file that document is granted to July 22, 2016. After that date, only one further extension totaling about 30 additional days is contemplated.

**S221519****CÁSARES (JOSÉ) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David A. Lowe's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 9, 2016, counsel's request for an extension of time in which to file that document is granted to June 9, 2016. After that date, no further extension is contemplated.

**S230899**

D066793 Fourth Appellate District, Div. 1

**JAMESON (BARRY S.) v.  
DESTA (TADDESE)**

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 June 27, 2016.

**S231171**

D067554 Fourth Appellate District, Div. 1

**PEOPLE v. GONZALES  
(GIOVANNI)**

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 June 30, 2016.

**S231375****DAVIS (RICHARD ALLEN)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Glenn R. Pruden's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by September 9, 2016, counsel's request for an extension of time in which to file that document is granted to July 25, 2016. After that date, only one further extension totaling about 47 additional days is contemplated.

**S232114**      B260573 Second Appellate District, Div. 8      **PEOPLE v. ESTRADA  
(MARIO R.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to June 30, 2016.

**S232622**      B244414 Second Appellate District, Div. 8      **LEIDER (AARON) v. LEWIS  
(JOHN)**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to July 11, 2016.

**S232701**      **SMITH (DeANTE REGINALD)  
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 extended to June 29, 2016.

**S226265**      A137763 First Appellate District, Div. 5      **PEOPLE v. OCHOA (JOSE  
ANTONIO)**

Counsel appointment order filed

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

**S226721**      B251196 Second Appellate District, Div. 1      **PEOPLE v. SEK (SAMNANG)**  
Counsel appointment order filed

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

**S231082**      B257185 Second Appellate District, Div. 6      **PEOPLE v. BREWER  
(CHRISTOPHER MICHAEL)**

Counsel appointment order filed

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

**S231744**      A143484 First Appellate District, Div. 5      **PEOPLE v. ROBERTS**  
**(ROBERT BARRY)**

Counsel appointment order filed

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

**S232674**      B258333 Second Appellate District, Div. 4      **PEOPLE v. MATEO**  
**(MILTON)**

Counsel appointment order filed

Upon request of appellant Gunni Scroggins for appointment of counsel, Edward Horowitz is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

**S232674**      B258333 Second Appellate District, Div. 4      **PEOPLE v. MATEO**  
**(MILTON)**

Counsel appointment order filed

Upon request of appellant Milton Mateo for appointment of counsel, James Koester is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

**S233261**      G050767 Fourth Appellate District, Div. 3      **PEOPLE v. WHITE (JOSEPH**  
**RYAN)**

Counsel appointment order filed

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

**S233319**      D069184 Fourth Appellate District, Div. 1      **KING (TERRANCE) ON H.C.**

Counsel appointment order filed

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

**S233365**      B265542 Second Appellate District, Div. 6      **PEOPLE v. LATEANO**  
**(DOMINIC)**

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.

**S233501**      A144405 First Appellate District, Div. 1

**PEOPLE v. SOTELO  
(MANUEL VINCENT)**

Counsel appointment order filed

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

**S233516**      F068313 Fifth Appellate District

**PEOPLE v. QUAIR (SAMMY  
RICHARD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, the Central California Appellate Program is hereby appointed to represent appellant on the appeal now pending in this court.

**S233539**      B264110 Second Appellate District, Div. 2

**PEOPLE v. WILLIAMS  
(JAIMEE J.)**

Counsel appointment order filed

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

**S233545**      B265981 Second Appellate District, Div. 6

**PEOPLE v. JASSO (JUAN)**

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.

**S233546**      D068235 Fourth Appellate District, Div. 1

**PEOPLE v. ROOT (DAVID  
MICHAEL)**

Counsel appointment order filed

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

**S233563**      B264984 Second Appellate District, Div. 6

**PEOPLE v. FERNANDEZ  
(ANDRES)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Melissa Camacho-Cheung is hereby appointed to represent appellant on the appeal now pending in this court.



**S233575** H042293 Sixth Appellate District**PEOPLE v. MENDOZA  
(MANUEL ANTONIO)**

Counsel appointment order filed

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

**S220187** C074264 Third Appellate District**IN RE ABBIGAIL A.**

Request for judicial notice granted

Amicus curiae California Indian Legal Service's request for judicial notice, filed May 14, 2015, is granted.

**S221038** A140035 First Appellate District, Div. 2**BRISTOL-MYERS SQUIBB  
COMPANY v. S.C.  
(ANDERSON)**

Order filed

The application of Public Justice, P.C. for permission to file an amicus curiae brief in support of real party in interest is hereby denied.

**S230104** B235892 Second Appellate District, Div. 3**SCHER (JAIME A.) v. BURKE  
(JOHN)**

Order filed

The application of appellants Richard Erickson, Wendie Malick, Richard B. Schroder, and Andrea D. Schroder, for permission to file the appendix of bar journal articles in support of answer brief on the merits is hereby granted.

**S234513****BAR ADMISSION 2016  
(FEBRUARY EXAM)**

General Bar admission order filed

The written motion # 1,259 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 as attorneys at law in all courts of the State of California upon their taking the prescribed oath before a competent officer on or after May 26, 2016, and within the time limits specified by Title 4, Division 1 of the Rules of the State Bar of California, is hereby granted: (SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

Fourth Appellate District, Div. 3

**TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Three to Division One:

1. G050295 Lough v. Lough
2. G050356 P. v. Girgis
3. G050721 Kumar v. Ravikumar
4. G050748 McFadden v. William Jordan Associates, Inc.
5. G050768 Tun v. Wells Fargo Dealer Services et al.
6. G051760 P. v. Reyes
7. G051314 Klimoski v. Klimoski
8. G051616 Minnis v. Quijada-Minnis
9. G052167 Monica Maze v. Stagliano
10. G052214 Hammond v. Promenade Imports

**SUPREME COURT MINUTES  
THURSDAY, MAY 26, 2016  
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 Thursday, May 26, 2016, at 9:00 a.m.

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

Officers present: Frank A. McGuire, Clerk, Jorge Navarrete, Assistant Clerk Administrator, and Gail Gray, Calendar Coordinator.

S219052                      City of Montebello, Plaintiff and Respondent,  
   v.  
   Rosemarie Vasquez et al., Defendants and Appellants;  
   Arakelian Enterprises, Inc., Intervener.

Cause called. Frank Revere argued for Appellants.  
Raul Salinas argued for Respondent.

Mr. Revere replied.  
Cause submitted.

S213468                      City of Perris, Plaintiff and Respondent,  
   v.  
   Richard C. Stamper et al., Defendants and Appellants.

Cause called. Sanaz K. “Sunny” Soltani argued for Respondent.  
K. Erik Friess argued for Appellants.

Ms. Soltani replied.  
Cause submitted.

S221554

Janis S. McLean, Plaintiff and Appellant,  
v.  
State of California et al., Defendants and Respondents.

Cause called. Aimee Feinberg, Office of the Attorney General,  
argued for Respondents.  
William A. Kershaw argued for Appellant.

Ms. Feinberg 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.

S224546

The People, Plaintiff and Respondent,  
v.  
Juanita Vidana, Defendant and Appellant.

Cause called. Michael Pulos, Office of the Attorney General,  
argued for Respondent.  
Valerie G. Wass, Court-appointed Counsel, argued for Appellant.

Mr. Pulos replied.  
Cause submitted.

S102166

The People, Plaintiff and Respondent,  
v.  
Richard Nathan Simon, Defendant and Appellant.

Cause called. Kimberly J. Grove, Court-appointed Counsel,  
argued for Appellant.  
Eric A. Swenson, Office of the Attorney General,  
argued for Respondent.

Ms. Grove replied.  
Cause submitted.

S076339

The People, Plaintiff and Respondent,  
v.  
Gary Lee Grimes, Defendant and Appellant.

Cause called. Cliff Gardner, Court-appointed Counsel,  
argued for Appellant.  
Stephanie A. Mitchell, Office of the Attorney General,  
argued for Respondent.

Mr. Gardner replied.  
Cause submitted.

Court recessed until Friday, May 27, 2016, at 9:00 a.m.