

**SUPREME COURT MINUTES
TUESDAY, NOVEMBER 7, 2017
SAN FRANCISCO, CALIFORNIA**

S104144**PEOPLE v. PEREZ, JR.,
(JOSEPH ANDREW)**

Supplemental briefing ordered

Appellant's "Application for Leave to File Out-of-Time Supplemental Brief" (Application), filed on November 6, 2017, is granted. The parties shall simultaneously serve and file supplemental briefs addressing the additional argument raised in appellant's Application on or before November 20, 2017. Any reply to the supplemental briefs shall be served and filed on or before December 1, 2017. No extension of time for the filing of these briefs is contemplated. The matter will be submitted on the date that the last supplemental brief is or could be timely filed under this order or any subsequent order of this court. (See generally, Cal. Rules of Court, rule 8.524(h).)

S230767**PEOPLE v. STANLEY
(GERALD FRANK)**

Extension of time granted

On application of respondent, it is ordered that the time to serve and file respondent's brief is extended to January 8, 2018.

S242346**DIXON, JR., (BENNIE
WILLIE) ON H.C.**

Order filed

The order filed on October 11, 2017, denying the petition for writ of habeas corpus is hereby amended to reflect the above title:

The petition for writ of habeas corpus is denied.

S244629**PRUITT (JEFFREY D.) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION TWO
(DAVIS)**

Order filed

The order filed October 18, 2017, denying the petition for writ of mandate is hereby amended to reflect the above title:

The petition for writ of mandate is denied.

1053500-17

The HONORABLE ROSENDO PENA, JR., Associate Justice of the Court of Appeal, Fifth Appellate District, is hereby assigned to assist the Supreme Court, as a justice thereof, on November 3, 2017, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

1053501-17

The HONORABLE STEVEN Z. PERREN, Associate Justice of the Court of Appeal, Second Appellate District, Division Six, is hereby assigned to assist the Supreme Court, as a justice thereof, on November 6, 2017, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

1053502-17

The HONORABLE NORA M. MANELLA, Associate Justice of the Court of Appeal, Second Appellate District, Division Four, is hereby assigned to assist the Supreme Court, as a justice thereof, on November 3, 2017, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

1053503-17

The HONORABLE CHARLES S. POOCHIGIAN, Associate Justice of the Court of Appeal, Fifth Appellate District, is hereby assigned to assist the Supreme Court, as a justice thereof, on November 6, 2017, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

**SUPREME COURT MINUTES
TUESDAY, NOVEMBER 7, 2017
SACRAMENTO, CALIFORNIA
SECOND AMENDED***

The Supreme Court of California convened in the courtroom of the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento, California, on Tuesday, November 7, 2017, at 10:00 a.m.

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

Officers present: Jorge Navarrete, Clerk Administrator, and Gail Gray, Calendar Coordinator.

*The Honorable George W. Nicholson, Associate Justice, Court of Appeal, Third Appellate District, sitting on the following case, under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S233983 Mike Hernandez et al., Plaintiffs and Respondents,
 Francesca Muller, Plaintiff and Appellant;
 v.
 Restoration Hardware, Inc., Defendant and Respondent.

Cause called. Lawrence W. Schonbrun argued for Appellant.
Allison H. Goddard argued for Plaintiff and Respondent Mike Hernandez.
Kevin K. Green argued for Amicus Curiae Consumer Attorneys of
California.

Mr. Schonbrun replied.
Cause submitted.

Justice George W. Nicholson departed the bench. The court is now joined at the bench by the Honorable Nathan D. Mihara, Associate Justice, Court of Appeal, Sixth Appellate District.

S222314

Solus Industrial Innovations, LLC, et al., Petitioners,
v.
Superior Court of Orange County, Respondent;
The People, Real Party in Interest.

Cause called. Kelly A. Ernby, Office of the District Attorney, argued for Real Party in Interest.
Mi Kim, California Department of Industrial Relations, argued for Amicus Curiae.

Ms. Ernby 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.

Justice Nathan D. Mihara departed the bench. The court is now joined at the bench by the Honorable William J. Murray, Jr., Associate Justice, Court of Appeal, Third Appellate District.

S237374

The People, Plaintiff and Respondent,
v.
Jody Chatman, Defendant and Appellant.

Cause called. Catherine A. Rivlin, Office of the Attorney General, argued for Respondent.
David Reagan argued for Appellant.

Ms. Rivlin replied.
Cause submitted.

Justice William J. Murray, Jr., departed the bench. The court is now joined at the bench by the Honorable Elwood G. Lui, Associate Justice, Court of Appeal, Second Appellate District, Division One.

S229762

McMillin Albany LLC et al., Petitioners,
v.
Superior Court of Kern County, Respondent;
Carl Van Tassell et al., Real Parties in Interest.

Cause called. Mayo Makarczyk argued Real Parties in Interest.
Wendy S. Albers argued for Amicus Curiae Benedon & Serlin, LLP.
Andrew M. Morgan argued for Petitioners.

Mr. Makarczyk replied.
Cause submitted.

Justice Elwood G. Lui departed the bench. The court is now joined at the bench by the Honorable Martin J. Jenkins, Associate Justice, Court of Appeal, First Appellate District, Third Division.

S104144

The People, Plaintiff and Respondent,
v.
Joseph Andrew Perez, Jr., Defendant and Appellant.

Cause called. A. Richard Ellis, Court Appointed Counsel, argued for Appellant.
Mr. John H. Deist, Office of the State Attorney General, argued for Respondent.

Mr. Ellis replied.
Cause submitted.

Court adjourned.