

***[NO MINUTES WERE GENERATED FOR
FRIDAY, NOVEMBER 10, 2017,
DUE TO VETERAN'S DAY HOLIDAY.]***

1621

**SUPREME COURT MINUTES
MONDAY, NOVEMBER 13, 2017
SAN FRANCISCO, CALIFORNIA**

S044693

**PEOPLE v. WALL (RANDALL
CLARK)**

Opinion filed: Judgment affirmed in full

We remand to the trial court for reconsideration of the defendant's restitution fine. In all other respects, we affirm the judgment.

Majority Opinion by Liu, J.

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

* Associate Justice of the Court of Appeal, Second Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S235412

C074801 Third Appellate District

**VASILENKO (ALEKSANDR)
v. GRACE FAMILY CHURCH**

Opinion filed: Judgment reversed

We reverse the decision of the Court of Appeal and remand to that court for further proceedings consistent with this opinion.

Majority Opinion by Liu, J.

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

* Presiding Justice of the Court of Appeal, First Appellate District, Division Five, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S245339

A152821 First Appellate District, Div. 2

**24 HOUR FITNESS USA, INC.
v. S.C. (MALOUF)**

Petition for review & application for stay denied

S097668

**PEOPLE v. SHERMANTINE,
JR., (WESLEY HOWARD)**

Extension of time granted

On application of appellant, an extension of time in which to file appellant's opening brief is granted to January 12, 2018. After that date, only four further extensions totaling 197 additional

days will be granted.

S151493**PEOPLE v. CARDENAS
(REFUGIO RUBEN)**

Extension of time granted

Based upon Deputy Attorney General Tia M. Coronado's representation that the respondent's brief is anticipated to be filed by May 6, 2018, an extension of time in which to file that brief is granted to January 6, 2018. After that date, only two further extensions totaling about 120 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).)

S152463**PEOPLE v. HILL (IVAN J.)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to January 12, 2018.

S165894**PEOPLE v. PENUELAS
(JESUS GUADALUPE
VELAZQUEZ)**

Extension of time denied

The application of appellant for an extension of time to file appellant's opening brief is denied.

S170001**PEOPLE v. WATTA
(BENJAMIN WAYNE)**

Extension of time granted

Based upon counsel Jonathan P. Milberg's representation that the appellant's opening brief is anticipated to be filed by February 5, 2018, an extension of time in which to file that brief is granted to January 5, 2018. After that date, only one further extension totaling 30 additional days will be granted. Counsel for appellant is ordered to inform his assisting attorney of this schedule and to take all steps necessary to meet it.

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).)

S170293**PEOPLE v. DENNIS (CALVIN
JERMAINE) & INGRAM
(REYON TWAIN)**

Extension of time granted

Based upon Supervising Deputy State Public Defender Christina A. Spaulding's representation

that the appellant Reyon T. Ingram's opening brief is anticipated to be filed by November 19, 2018, an extension of time in which to file that brief is granted to January 16, 2018. After that date, only five further extensions totaling about 308 additional days will be granted.

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).)

S174227

**PEOPLE v. GUERRERO
(JOSE)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to January 5, 2018.

S175660

**PEOPLE v. AGUIRRE (JASON
ALEJANDRO)**

Extension of time granted

Based upon Deputy Attorney General Warren J. Williams's representation that the respondent's brief is anticipated to be filed by May 16, 2018, an extension of time in which to file that brief is granted to January 15, 2018. After that date, only two further extensions totaling about 120 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).)

S186360

**PEOPLE v. RODRIGUEZ
(ANTONIO)**

Extension of time granted

Based upon counsel Sharon Fleming's representation that the appellant's opening brief is anticipated to be filed by April 1, 2018, an extension of time in which to file that brief is granted to January 2, 2018. After that date, only two further extensions totaling about 89 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).)

S188067

**PEOPLE v. WHITESIDE
(GREGORY C.)**

Extension of time granted

Based upon counsel Kimberly J. Grove's representation that the appellant's opening brief is anticipated to be filed by August 15, 2018, an extension of time in which to file that brief is granted to January 12, 2018. After that date, only four further extensions totaling about 214 additional days will be granted.

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).)

S189296

**PEOPLE v. PANIAGUA, JR.,
(RODRIGO ORTIZ)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to January 12, 2018.

S197781

**PEOPLE v. REED (DAVID
JOHN)**

Extension of time granted

Based upon Deputy Attorney General Robin Urbanski's representation that the respondent's brief is anticipated to be filed by May 15, 2018, an extension of time in which to file that brief is granted to January 12, 2018. After that date, only two further extensions totaling about 124 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).)

S206484

**PEOPLE v. ESPINOZA
(PEDRO)**

Extension of time granted

Based upon counsel Debra S. Sabah Press's representation that the appellant's opening brief is anticipated to be filed by April 30, 2018, an extension of time in which to file that brief is granted to January 16, 2018. After that date, only two further extensions totaling about 103 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).)

S238544

C075126 Third Appellate District

**UNITED AUBURN INDIAN
COMMUNITY OF THE
AUBURN RANCHERIA v.
BROWN, JR., (EDMUND G.)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the response to the amicus curiae briefs is extended to December 8, 2017.

S241324 B266931 Second Appellate District, Div. 6 **DR. LEEVIL, LLC v.
WESTLAKE HEALTH CARE
CENTER**

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 December 13, 2017.

S241471 B265011 Second Appellate District, Div. 2 **McCLAIN (MICHAEL) v.
SAV-ON DRUGS**

Extension of time granted

On application of defendants and respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 13, 2017. No further extensions of time will be granted.

S241471 B265011 Second Appellate District, Div. 2 **McCLAIN (MICHAEL) v.
SAV-ON DRUGS**

Extension of time granted

On application of respondent, California Department of Tax and Fee Administration and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 13, 2017. No further extensions of time will be granted.

S242538 **NAVARRO (ANTHONY) ON
H.C.**

Extension of time granted

Based upon Deputy Attorney General Christine Levingston Bergman's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 13, 2018, an extension of time in which to file that document is granted to January 12, 2018. After that date, only one further extension totaling about 62 additional days is contemplated.

S243294 E064482 Fourth Appellate District, Div. 2 **BLACK SKY CAPITAL, LLC
v. COBB (MICHAEL A.)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to December 27, 2017.

S243360 D069798 Fourth Appellate District, Div. 1 **PLANTIER (EUGENE G.) v.
RAMONA MUNICIPAL
WATER DISTRICT**

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 December 13, 2017. No further extensions of time are contemplated.

S241231 E067296 Fourth Appellate District, Div. 2 **PEOPLE v. S.C. (LARA, JR.)**
Motion for judicial notice granted
The request for judicial notice, filed by petitioner on July 13, 2017, is granted.