

*[NO MINUTES GENERATED FOR  
NOVEMBER 22 & 23, 2018,  
IN OBSERVANCE OF THANKSGIVING HOLIDAY.]*

1779

**SUPREME COURT MINUTES  
MONDAY, NOVEMBER 26, 2018  
SAN FRANCISCO, CALIFORNIA**

**S237379**      B255598 Second Appellate District, Div. 3      **PEOPLE v. RODAS  
(DOMINGO)**

Opinion filed: Judgment reversed

We reverse the judgment of the Court of Appeal and remand the matter to that court with directions to reverse the judgment of conviction.

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, and Kline\*, JJ.

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

**S251980**      **MITCHELL (CORNELL) v.  
S.C. (21ST CENTURY  
CASUALTY COMPANY)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of certiorari is hereby denied.

**S252067**      **KINNEY (CHARLES) v. S.C.  
(CLARK)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of mandate is hereby denied.

**S251623**      B284725 Second Appellate District, Div. 7      **PEOPLE v. BANDA  
(MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 28, 2018.

**S251663**      B282528 Second Appellate District, Div. 6      **PEOPLE v. PEREZ (MARK  
ANTHONY)**



Based upon Deputy Attorney General Kari Ricci Mueller's representation that the respondent's brief is anticipated to be filed by March 25, 2019, an extension of time in which to file that brief is granted to January 24, 2019. After that date, only one further extension totaling about 60 additional days is 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).)

**S186974**

**GAMACHE (RICHARD  
CAMERON) ON H.C.**

Extension of time granted

Based upon counsel Fred Renfroe's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by August 10, 2019, an extension of time in which to file that document is granted to January 18, 2019. After that date, only four further extensions totaling about 203 additional days are contemplated.

**S191346**

**PEOPLE v. BERNOUDY  
(KEVIN)**

Extension of time granted

Based upon counsel Laura G. Schaefer's representation that the appellant's opening brief is anticipated to be filed by May 5, 2019, an extension of time in which to file that brief is granted to January 14, 2019. After that date, only two further extensions totaling about 114 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).)

**S198309**

**PEOPLE v. FLETCHER  
(MARCUS)**

Extension of time granted

Based upon counsel David P. Lampkin's representation that the appellant's opening brief is anticipated to be filed by April 29, 2019, an extension of time in which to file that brief is granted to January 15, 2019. After that date, only two further extensions totaling about 104 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).)

**S200016****PEOPLE v. TOPETE (MARCO ANTONIO)**

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 29, 2019.

**S202630****PEOPLE v. BUTLER (RAYMOND OSCAR)**

Extension of time granted

Based upon Senior Deputy State Public Defender Timothy J. Foley's representation that the appellant's opening brief is anticipated to be filed by March 11, 2019, an extension of time in which to file that brief is granted to January 28, 2019. After that date, only one further extension totaling about 44 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).)

**S203514****PEOPLE v. HUGHES (MICHAEL)**

Extension of time granted

Based upon counsel Randall Bookout's representation that the appellant's reply brief is anticipated to be filed by November 12, 2019, an extension of time in which to file that brief is granted to January 18, 2019. After that date, only five further extensions totaling about 297 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).)

**S211045****PEOPLE v. PEREZ (CHRISTIAN TOMAS)**

Extension of time granted

Based upon Deputy Attorney General Toni R. Johns Estaville's representation that the respondent's brief is anticipated to be filed by February 25, 2019, an extension of time in which to file that brief is granted to January 25, 2019. After that date, only one further extension totaling about 30 additional days is 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).)

**S214917****PEOPLE v. NASO (JOSEPH)**

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 22, 2019.

**S243600**      A138649 First Appellate District, Div. 4**PEOPLE v. TURNER (CASEY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply to respondent's opposition to appellant's application to expand review is extended to December 5, 2018.

**S248046**      D071733 Fourth Appellate District, Div. 1**PEOPLE v. FOSTER  
(JEREMY JOHN)**

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 11, 2018.

**S248520**      B276040 Second Appellate District, Div. 5**PEOPLE v. PARTEE  
(STARLETTA)**

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 26, 2018.

**S249132**      A150545 First Appellate District, Div. 1**SAINT FRANCIS MEMORIAL  
HOSPITAL v. CALIFORNIA  
DEPARTMENT OF PUBLIC  
HEALTH**

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 5, 2018. No further extensions will be granted.

**S249770****PAYNE (STEVIE RODNEY)  
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 December 31, 2018.

**S250149**      A151224 First Appellate District, Div. 5**SKIDGEL (TAMARA) v.  
CALIFORNIA  
UNEMPLOYMENT  
INSURANCE APPEALS  
BOARD**

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 January 11, 2019.

**S251284****LUTI ON DISCIPLINE**

Extension of time granted – ANTHONY NGULA LUTI

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to December 7, 2018.

**S251424****GANT (DARIUS) 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 January 18, 2019.

**S252145**      A147177 First Appellate District, Div. 2**PALMER (WILLIAM M.) ON  
H.C.**

Extension of time granted

The application for an extension of time is granted to December 7, 2018. No further extensions of time are contemplated. In the reply to the answer to the petition for review, please also apprise the court of the following.

1. What was the outcome of the December 6, 2018, parole suitability hearing for inmate Palmer?
2. Was the December 6, 2018, hearing a regularly scheduled parole hearing, or an advanced hearing pursuant to Penal Code section 3041.5, subdivisions (b)(4) or (d)(1)?

3. What formal action was taken, if any, at the Board of Parole Hearings' November 2018 Executive Board Meeting regarding proposed regulations for Parole Consideration Hearings for Youth Offenders (Cal. Code Regs., tit. 15, proposed §§ 2440-2446?)

**S252255** B281904/B283523 Second Appellate District, Div. 8 **ELYSIAN CARE CORPORATION v. LAWNDALE HEALTHCARE & WELLNESS CENTRE, LLC**

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 December 11, 2018.

No further requests for extension of time are contemplated.

**S193669**

**NELSON (BERNARD ALBERT) ON H.C.**

Order filed

Petitioner's "Application for Leave to File a Motion for Reconsideration and Stay of Transfer," filed on October 31, 2018, is granted.

**S218551**

**JONES (KIONGOZI) ON H.C.**

Order filed

Petitioner's "Application for Leave to File a Motion for Reconsideration and Stay of Transfer," filed on October 31, 2018, is granted.

**S244630** A147564 First Appellate District, Div. 1

**OTO, L.L.C. v. KHO (KEN); SU (JULIE A.)**

Order filed

On November 29, 2017, this court granted the petition for review filed by Ken Kho and Julie A. Su, in her capacity as Labor Commissioner. For purposes of oral argument, Kho is designated the petitioner in these combined appeals.

**S248726**

**OMAN (DEV ANAND); EICHMANN(TODD); LEHR (MICHAEL); FLORES (ALBERT) v. DELTA AIR**

**LINES, INC.**

Order filed

The application of appellant filed on November 13, 2018, for permission to file the untimely opening brief on the merits is hereby granted.

**S251935**

**MARINA COAST WATER  
DISTRICT v. PUBLIC  
UTILITIES COMMISSION  
(CALIFORNIA-AMERICAN  
WATER COMPANY)**

Order filed

The application of Monterey Peninsula Water Management District for permission to file an answer to petitions for review, filed November 19, 2018, is hereby granted.

**S251935**

**MARINA COAST WATER  
DISTRICT v. PUBLIC  
UTILITIES COMMISSION  
(CALIFORNIA-AMERICAN  
WATER COMPANY)**

Order filed

The application of respondent California Public Utilities Commission for permission to file a reply to opposition to motion to dismiss, filed November 19, 2018, is hereby granted.

**S252082**

**CIOTTA (STEVEN ALLEN) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S252230**

**HAMILTON (DONALD) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for

consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S252400**

**LYNEX (TOMMIE) v.  
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S252418**

**PAGE (RICHARD) v. LOS  
ANGELES COUNTY  
SHERIFF'S DEPARTMENT**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.