

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 5, 2016
SAN FRANCISCO, CALIFORNIA
AMENDED***

S237613 B259800 Second Appellate District, Div. 8 **MORLIN ASSET
MANAGEMENT LP v.
MURACHANIAN (EDWARD
M.)**

Time for ordering review extended on the court's own motion

The time for ordering review on the court's own motion is hereby extended to November 7, 2016.
(Cal. Rules of Court, rule 8.512(c).)

S236291 F070893 Fifth Appellate District **PEOPLE v. SILBERMAN
(DUSTIN ZACHARIAH)**

The time for granting or denying review in the above-entitled matter is hereby extended to
November 10, 2016.

S236420 D069445 Fourth Appellate District, Div. 1 **PEOPLE v. SMITH (KIESHA
RENEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to
November 4, 2016.

S236509 D068367 Fourth Appellate District, Div. 1 **PEOPLE v. OLVERA (JESUS
U.)**

The time for granting or denying review in the above-entitled matter is hereby extended to
November 9, 2016.

S236546 E063132 Fourth Appellate District, Div. 2 **PEOPLE v. EL NASLEH
(MOHAMMED SAMII)**

The time for granting or denying review in the above-entitled matter is hereby extended to
November 9, 2016.

S120382**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker's representation that the appellant's reply brief is anticipated to be filed by October 2, 2017, counsel's request for an extension of time in which to file that brief is granted to December 2, 2016. After that date, only five further extensions totaling about 303 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).)

S155617**PEOPLE v. SILVA
(MAURICIO)**

Extension of time granted

Good cause appearing, and based upon counsel Victor S. Haltom's representation that the appellant's opening brief is anticipated to be filed by November 25, 2016, counsel's request for an extension of time in which to file that brief is granted to November 28, 2016. After that date, no further extension will be granted.

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

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that the appellant's opening brief is anticipated to be filed by May 4, 2017, counsel's request for an extension of time in which to file that brief is granted to December 5, 2016. After that date, only three further extensions totaling about 151 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).)

S174227**PEOPLE v. GUERRERO
(JOSE)**

Extension of time granted

Good cause appearing, and based upon counsel J. Wilder Lee's representation that the appellant's opening brief is anticipated to be filed by November 15, 2017, counsel's request for an extension of time in which to file that brief is granted to December 5, 2016. After that date, only one further extension totaling about 42 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).)

S181555**PEOPLE v. MARTIN
(VALERIE DEE)**

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 motion to unseal is extended to November 7, 2016.

S185221**PEOPLE v. LEWIS (TRAVIS
JEREMY)**

Extension of time granted

Good cause appearing, and based upon counsel Tara K. Hoveland's representation that the appellant's opening brief is anticipated to be filed by December 23, 2016, counsel's request for an extension of time in which to file that brief is granted to December 5, 2016. After that date, only one further extension totaling about 17 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).)

S185810**PEOPLE v. THREATS
(DERLYN RAY)**

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 December 6, 2016.

S189992**PEOPLE v. SHORTS
(DONALD) & TUCKER
(JAMAR)**

Extension of time granted

On application of appellant Jamar Tucker and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 5, 2016.

S189992**PEOPLE v. SHORTS
(DONALD) & TUCKER
(JAMAR)**

Extension of time granted

On application of appellant Donald Shorts and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 5, 2016.

S196185**PEOPLE v. MACIAS
(ARMANDO)**

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 November 29, 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 October 17, 2016. After that date, no further extension is contemplated.

S203655**PEOPLE v. GREEN (EARL
ELLIS)**

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 November 28, 2016.

S222187**DANIELS (DAVID SCOTT)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Ann Kim's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 7, 2016, counsel's request for an extension of time in which to file that brief is granted to November 7, 2016. After that date, no further extension is contemplated.

S231571**ANDREWS (JESSE JAMES)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Xiomara Costello's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 18, 2016, counsel's request for an extension of time in which to file that document is granted to November 18, 2016. After that date, no further extension is contemplated.

S231775**GUERRERO (FERMIN) 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 October 17, 2016.

No further extension of time will be contemplated.

S232197

E063527 Fourth Appellate District, Div. 2

**KING (KIRK) v.
COMPPARTNERS, INC.**

Extension of time granted

On application of respondent Comppartners, Inc., and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to November 17, 2016.

S232218

B259665 Second Appellate District, Div. 5

**PEOPLE v. HICKS (MARVIN
TRAVON)**

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 October 30, 2016.

No further extension of time will be contemplated.

S233526

D067383 Fourth Appellate District, Div. 1

**SWEETWATER UNION
SCHOOL DISTRICT v.
GILBANE BUILDING
COMPANY**

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 October 21, 2016.

S234285**DOOLIN (KEITH ZON) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Amanda D. Cary's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 3, 2016, counsel's request for an extension of time in which to file that document is granted to November 3, 2016. After that date, no further extension is contemplated.

S234377 B255375 Second Appellate District, Div. 4 **PEOPLE v. GONZALEZ
(JORGE)**

Extension of time granted

On application of appellant Jorge Gonzalez and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 31, 2016. No further extensions of time are contemplated.

S234377 B255375 Second Appellate District, Div. 4 **PEOPLE v. GONZALEZ
(JORGE)**

Extension of time granted

On application of appellant Alfonso Garcia and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 31, 2016. No further extensions of time are contemplated.

S234377 B255375 Second Appellate District, Div. 4 **PEOPLE v. GONZALEZ
(JORGE)**

Extension of time granted

On application of appellant Erica M. Estrada and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 31, 2016. No further extensions of time are contemplated.

S234842 **SCOGGINS (WILLIE) 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 November 4, 2016.

S235293 **HARRIS (BERNARD) 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 November 7, 2016.

S235861 **GUTIERREZ (CRUZ
ALONZO) 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 to petition for writ of habeas corpus is extended to October 27, 2016.

S235903 A142858/A143428 First Appellate District, Div. 1 **UNITED EDUCATORS OF
SAN FRANCISCO AFT/CFT,
AFL-CIO, NEA/CTA v.
CALIFORNIA
UNEMPLOYMENT
INSURANCE APPEALS
BOARD (SAN FRANCISCO
UNIFIED SCHOOL
DISTRICT)**

Extension of time granted

On application of Defendant, Cross-defendant and Appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to November 14, 2016.

S235965 **TIDWELL (JOHN
BENJAMIN) 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 November 1, 2016.

S236635 **LEGARDY (RONALD) 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 November 4, 2016.

S235005 D055015 Fourth Appellate District, Div. 1 **SIRYPANGNO
(KOPNRSAVANH DONALD)
ON H.C.**

Counsel appointment order filed

Upon request of petitioner for appointment of counsel, George Schraer is hereby appointed to represent petitioner on the appeal now pending in this court.

S236179 H041050 Sixth Appellate District **PEOPLE v. CORDOVA
(JOHNNY MELENDEZ)**

Counsel appointment order filed

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

S236282

H042059 Sixth Appellate District

PEOPLE v. DUNN (ERIC ANTHONY)

Counsel appointment order filed

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

S236198**COHN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID ROBERT COHN, State Bar Number 180071, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. DAVID ROBERT COHN is suspended from the practice of law for a minimum of the first two years of probation (with credit given for the period of interim suspension, which commenced on February 4, 2016), and he will remain suspended until he provides proof to the State Bar Court of his 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. DAVID ROBERT COHN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 1, 2016.
3. At the expiration of the period of probation, if DAVID ROBERT COHN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID ROBERT COHN must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DAVID ROBERT COHN 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.

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 his membership fees for each of the years 2017, 2018, and 2019. If DAVID ROBERT COHN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S236200**VILLALOBOS ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ALFRED NASH VILLALOBOS, State Bar Number 194000, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

ALFRED NASH VILLALOBOS 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.

S236201**TAYLOR ON DISCIPLINE**

Recommended discipline imposed

The court orders that GEOFFREY L. TAYLOR, State Bar Number 108697, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. GEOFFREY L. TAYLOR is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until he provides proof to the State Bar Court of his 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. GEOFFREY L. TAYLOR must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 6, 2016.
3. At the expiration of the period of probation, if GEOFFREY L. TAYLOR has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GEOFFREY L. TAYLOR must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

GEOFFREY L. TAYLOR 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.

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-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If GEOFFREY L. TAYLOR fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S236202**MARTINEZCOUOH ON
DISCIPLINE**

Recommended discipline imposed

The court orders that CARLOS MARTINEZCOUOH, State Bar Number 188126, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for one year subject to the following conditions:

1. CARLOS MARTINEZCOUOH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 8, 2016; and
2. At the expiration of the period of probation, if CARLOS MARTINEZCOUOH has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CARLOS MARTINEZCOUOH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. 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-half of the costs must be paid with his membership fees for each of the years 2017 and 2018. If CARLOS MARTINEZCOUOH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S236203**WYSER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID WYSER, State Bar Number 154190, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

DAVID WYSER 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.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,277)**

The written motion 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 to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

H044001

Sixth Appellate District

**HIRAMANNEK (RODA) v.
HIRAMANNEK (ADIL)**

The above-entitled matter, now pending in the Court of Appeal, Sixth Appellate District, is transferred to the Court of Appeal, Third Appellate District.

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 5, 2016
SAN FRANCISCO, CALIFORNIA
*AMENDED**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Wednesday, October 5, 2016, at 9:00 a.m.

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

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

S226529 Association of California Insurance Companies et al., Plaintiffs and
Respondents,
v.
Dave Jones, as Commissioner, etc., Defendant and Appellant.

[TO BE CALLED AND CONTINUED TO THE NOVEMBER 2016 CALENDAR]

S229446 The People, Plaintiff and Respondent,
v.
Financial Casualty & Surety, Inc., Defendant and Appellant.

Cause called. Robert Tomlin White argued for Appellant.
John M. Rorabaugh argued for Appellant.
Brian T. Chu, Office of the County Counsel, argued for Respondent.

Mr. White replied.
Cause submitted.

S222211 Raceway Ford Cases.

Cause called. Hallen D. Rosner argued for Appellants.
Kellie Christianson argued for Respondent.

Mr. Rosner replied.
Cause submitted.

S133510 The People, Plaintiff and Respondent,
v.
Andrew Hampton Mickel, Defendant and Appellant.

Cause called. Lawrence Gibbs, Court Appointed Counsel, argued for
Appellant.
Robert C. Nash, Office of the Attorney General, argued for Respondent.

Mr. Gibbs 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.

S231489

Morris Glen Harris, Jr., Petitioner,
v.
Superior Court of Los Angeles County, Respondent;
The People, Real Party in Interest.

Cause called. Mark Harvis, Office of the Public Defender, argued for
Petitioner.

John Pomeroy, Office of the Attorney General, argued for Real Party in
Interest.

Mr. Harvis replied.
Cause submitted.

S118384

The People, Plaintiff and Respondent,
v.
Angelo Michael Melendez, Defendant and Appellant.

Cause called. Saor E. Stetler, Court appointed Counsel, argued for
Appellant.

Kay Lauterbach, Office of the Attorney General, argued for Respondent.

Mr. Stetler replied.
Cause submitted.

S100735

The People, Plaintiff and Respondent,
v.
Daniel Gary Landry, Defendant and Appellant.

Cause called. Donald R. Tickle, Court appointed Counsel, argued for
Appellant.

Michael T. Murphy, Office of the Attorney General, argued for
Respondent.

Mr. Tickle replied.
Cause submitted.

Court recessed until Thursday, October 6, 2016, at 9:00 a.m.