

**SUPREME COURT MINUTES  
WEDNESDAY, OCTOBER 7, 2020  
SAN FRANCISCO, CALIFORNIA**

**S264414**

C092401 Third Appellate District

**WADE (CHANCELLOR) ON  
H.C.**

Petition for review granted; transferred to Court of Appeal, Third Appellate District, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District. That court is ordered to vacate its summary denial dated August 20, 2020, and is further directed to issue an order to show cause, returnable before the Sacramento County Superior Court. The Secretary of the Department of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why petitioner is not entitled to the relief sought.

This court recognizes the urgency of the present matter and remains concerned about the risks that the conditions of confinement in Folsom State Prison may pose for petitioner and the other inmates confined there. We direct the superior court to expedite the proceedings to ensure prompt and effective resolution of these time-sensitive issues. To that end, the parties or the superior court on its own motion may shorten time for any filings to further an expedient resolution. (Cal. Rules of Court, rule 4.551(h).)

The parties may, by letter brief, continue to provide this court with status updates as the situation warrants.

Liu, J., is of the opinion the petition should be granted.

Votes: Cantil-Sakauye, C. J., Corrigan, Cuéllar, Kruger, and Groban, JJ.

**S171393****PEOPLE v. McDANIEL  
(DONTÉ LAMONT)**

Extension of time granted

The October 6, 2020, application for extension of time to serve and file an application to file an amicus curiae brief, filed by counsel Jason George of Kecker, Van Nest & Peters LLP on behalf of Vicente Benavides and Manuel Lopez, is hereby granted.

**S259633****PEOPLE v. CRESPO  
(MIGUEL)**

Extension of time denied

The “Request for Extension of Time to File Reporter Transcripts,” filed by Court Reporter Veronica R. Bertolucci on October 5, 2020, is denied without prejudice. (See Cal. Pen. Code, § 190.8, subd. (a) [“In any case in which a death sentence has been imposed, the record on appeal shall be expeditiously certified”].) Court Reporter Bertolucci must file a renewed request for an extension of time within 14 days from the date of this order that includes (1) statements, under penalty of perjury, from each of the court reporters who have not completed preparing their transcripts stating the percentage of progress they have made in preparing their transcripts, and (2) from each such court reporter an estimated date by which they will complete their transcripts.

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The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on October 7, 2020, at 9:00 a.m.

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

Officers present: Jorge Navarrete, Clerk and Executive Officer.

The Honorable Brad R. Hill, Administrative Presiding Justice, Court of Appeal, Fifth Appellate District, sitting on the following case, under assignment by the Chairperson of the Judicial Council, joined the court at the bench.

S254599                    In re Gregory Gadlin on Habeas Corpus.

Cause called. Charles Chung, Office of the Attorney General, argued for Respondent.

Janice Madelyn Bellucci, Court Appointed Counsel, argued for Petitioner.

Mr. Chung replied.

Cause submitted.

Justice Hill departed the bench. The court is now joined at the bench by the Honorable Elizabeth A. Grimes, Associate Justice, Court of Appeal, Second Appellate District, Division Eight, sitting on the following case, and is under assignment by the Chairperson of the Judicial Council.

S256698                    The People, Plaintiff and Respondent,  
v.  
Joseph Gentile, Jr., Defendant and Appellant.

Cause called. Eric R. Larson, Court Appointed Counsel, argued for Appellant.

Alan L. Amann, Office of the Attorney General, argued for Respondent.

Mr. Larson replied.

Cause submitted.

Justice Grimes departed the bench. The court is now joined at the bench by the Honorable Patricia Guerrero, Associate Justice, Court of Appeal, Fourth Appellate District, Division One, sitting on the following case, and is under assignment by the Chairperson of the Judicial Council.

S255262                    Deborah Sass, Plaintiff and Respondent,  
   v.  
   Theodore Cohen, Defendant and Appellant.

Cause called. Robert S. Gerstein argued for Respondent.  
Todd E. Lundell argued for Appellant.

Mr. Gerstein replied.  
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California.

Members of the court and officers present as first shown. Justice Guerrero departed the bench. The court is now joined by the Honorable Andrea L. Hoch, Associate Justice, Court of Appeal, Third Appellate District, sitting on the following case, and is under assignment by the Chairperson of the Judicial Council.

S258143                    The People, Plaintiff and Respondent,  
   v.  
   Antonio Chavez Moses III, Defendant and Appellant.

Cause called. Steve Oetting, Office of the Attorney General, argued for Respondent.  
Mark Alan Hart, Court Appointed Counsel, argued for Appellant.

Mr. Oetting replied.  
Cause submitted.

Court adjourned.