# SUPREME COURT MINUTES WEDNESDAY, OCTOBER 15, 2014 SAN FRANCISCO, CALIFORNIA

S061026

PEOPLE v. McCURDY (GENE ESTEL)

The petition for rehearing is denied.

S220685

H039309 Sixth Appellate District

PEOPLE v. POVIO (WILLIAM ANTHONY)

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending finality of a related issue in *People v. Aguilar*, S213571, and *People v. Trujillo*, S213587 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S220856 B249197 Second Appellate District, Div. 3 PEOPLE v. SOTO (ABELARDO)

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of related issues in *Braziel v. Superior Court*, S218503, and *People v. Machado*, S219819 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

# BENNETT (BENJAMIN) ON H.C.

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Tehama County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to resentencing, as conceded by the Attorney General, because the five-year enhancement imposed under Penal Code section 667, subdivision (a) is unauthorized in light of the Court of Appeal's stay of the sentence on count II (attempted criminal threats), the only current serious felony conviction. (See concession by the Attorney General in the Informal Response filed in this court on June 26, 2014; *People v. Salazar* (1987) 194 Cal.App.3d 634, 640, fn. 6; *People v. Kramer* (2002) 29 Cal.4th 720.) The return is to be filed on or before November 14, 2014.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

#### S216847

LEWIS (JERRETT MARTELL) ON H.C.

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Riverside County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to a resentencing hearing as conceded by the Attorney General in her informal response filed with this court on July 14, 2014. (See *People v. Gutierrez* (2014) 58 Cal.4th 1354.) The return is to be filed on or before November 14, 2014.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

## S218786

BELL, JR., (TERRY LEE) ON H.C.

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Riverside County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to a resentencing hearing as conceded by the Attorney General in her informal response filed with this court on September 2, 2014. (See *People v. Gutierrez* (2014) 58 Cal.4th 1354.) The return is to be filed on or before November 14, 2014.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S220454 B240015 Second Appellate District, Div. 3 PEOPLE v. BHATIA (NEELAM)

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Three

The petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of *People v. Whitmer* (2014) 59 Cal.4th 733. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S220677 B257222 Second Appellate District, Div. 5 PEOPLE v. S.C. (CAHUENGA'S THE SPOT)

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

The request for judicial notice is granted.

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S207726 B233512 Second Appellate District, Div. 2 MONARREZ (RUBEN) v.
AUTOMOBILE CLUB OF
SOUTHERN CALIFORNIA

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two In light of the decision in *Patterson v. Domino's Pizza, LLC* (2014) 60 Cal.4th 474, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528 (b)(1).) Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S190098

WEBB (DENNIS DUANE) ON H.C.

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on January 25, 2011, is denied on the merits.

**S220019** F065603 Fifth Appellate District

CHILDREN'S HOSPITAL CENTRAL CALIFORNIA v. BLUE CROSS OF CALIFORNIA

Petition for review & depublication request(s) denied Chin, J., is of the opinion the petition should be granted.

**S220153** B241236 Second Appellate District, Div. 1

PEOPLE v. LEWIS (VINCE E.)

Petitions for review denied

**S220179** G049344 Fourth Appellate District, Div. 3

WILLIAM JEFFERSON & CO., INC. v. ASSESSMENT APPEALS BOARD

Petition for review denied

**S220283** F069684 Fifth Appellate District

KAM-WAY TRANSPORTATION, INC. v. S.C. (CHAVEZ)

Petition for review denied

**S220304** E056132 Fourth Appellate District, Div. 2

PEOPLE v. SWEENEY II (JAMES ALBERT)

Petitions for review denied

S220312 B253290 Second Appellate District, Div. 3

PARAMOUNT PETROLEUM CORPORATION v. S.C. (BUILDING MATERIALS CORPORATION OF AMERICA)

Petitions for review denied

**S220341** B246272 Second Appellate District, Div. 1

PEOPLE v. AVALOS (FRANCISCO)

S220349 A133873/A135242 First Appellate District, Div. 4 RUSSO (JOHN A.) v. MANZO (ABEL)

Petition for review denied

S220395 F068454 Fifth Appellate District IN RE M.L.

Petition for review denied

S220408 G048746 Fourth Appellate District, Div. 3 PEOPLE v. CATALAN (MARVIN ESTUARDO)

Petition for review denied

S220436 F066203 Fifth Appellate District PEOPLE v. JOHNSON (DAUNTE MAURICE)

Petition for review denied

S220448 B249450 Second Appellate District, Div. 4 PEOPLE v. ENTO (MARK D.)

Petition for review denied

S220471 C076971 Third Appellate District McKINNEY, JR., (MACE) ON

H.C.

Petition for review denied

S220480 B252629 Second Appellate District, Div. 3 IN RE JOSE A.

Petition for review denied

S220485 G046163 Fourth Appellate District, Div. 3 PEOPLE v. GUILLEN (MIGUEL ANGEL)

Petitions for review denied

S220531 D064405 Fourth Appellate District, Div. 1 PEOPLE v. TUCKER (RANDY

**DEWAYNE**)

**S220532** F067383 Fifth Appellate District

NORTH COAST RIVERS ALLIANCE v. WESTLANDS WATER DISTRICT (UNITED STATES BUREAU OF RECLAMATION)

Petition for review & depublication request(s) denied

**S220543** F066672 Fifth Appellate District

PEOPLE v. MENESES (JEFFERY PEREIRA)

Petition for review denied

**S220546** B254360 Second Appellate District, Div. 5

TONG (SHONG-CHING) v.

**FAIR POLITICAL** 

PRACTICES COMMISSION

Petition for review denied

The request for judicial notice is granted.

S220560 H037404 Sixth Appellate District

PEOPLE v. DOWDELL

(BRITTANY KIM)

Petitions for review denied

S220562 B257180 Second Appellate District, Div. 2

Petition for review denied

**FUENTES (ERICK) ON H.C.** 

S220571 F069346 Fifth Appellate District MATA (LUCIA) v.

**WORKERS'** 

**COMPENSATION APPEALS** 

BOARD & HERSHEY CHOCOLATE & CONFECTIONARY

Petition for review denied

S220579 C074304 Third Appellate District

KNOWLESBROWDER

(RYAN BRAN)

PEOPLE v.

S220582 B243554/B248365 Second Appellate District, Div. 6 DARIA (HALEY) v. LEVEL STUDIOS, INC.

Petition for review & publication request(s) denied

S220595 B250646 Second Appellate District, Div. 2 MEEKS (DARYL HOWARD &

MONICA JO), MARRIAGE

**OF** 

Petition for review denied

S220601 B248167 Second Appellate District, Div. 5 PEOPLE v. CARTER

(RONYEN)

Petitions for review denied

S220616 H038406 Sixth Appellate District HILL (JAMES C.) v. APPEALS

**HEARING BOARD OF THE** 

**CITY OF SAN JOSE** 

Petition for review denied

S220686 E059104 Fourth Appellate District, Div. 2 PEOPLE v. HARPER (JAMES

MONROE)

Petition for review denied

S220694 B246331 Second Appellate District, Div. 3 PEOPLE v. PEREZ (RAFAEL

ALEJANDRO)

Petition for review denied

S220696 B257543 Second Appellate District, Div. 2 JACOBS (LIONEL TEMERO)

ON H.C.

Petition for review denied

S220699 D065335 Fourth Appellate District, Div. 1 PEOPLE v. MARTINEZ

(EDUARDO)

S220700 E055188 Fourth Appellate District, Div. 2 PEOPLE v. ORTIZ (EDUARDO RAMIREZ)

Petition for review denied

S220701 B251124 Second Appellate District, Div. 2 PEOPLE v. PARK (JIN WOO)

Petition for review denied

S220702 B248278 Second Appellate District, Div. 1 PEOPLE v. SANTANA (REYNALDO)

Petition for review denied

**S220704** E052088/E053067/E056252

Fourth Appellate District, Div. 2 **PEOPLE v. DEVAUGHN** (ANTHONY MARK)

Petitions for review denied

S220708 G048693 Fourth Appellate District, Div. 3 IN RE WILLIAM H.

Petition for review denied

S220731 D063890 Fourth Appellate District, Div. 1 PEOPLE v. BUTLER (DARIUS

SINCLAIR)

Petition for review denied

S220734 E056585 Fourth Appellate District, Div. 2 PEOPLE v. PETTRESS

(DUREE)

Petition for review denied

S220738 B248395 Second Appellate District, Div. 7 PEOPLE v. ESPINOSA (ALBERTO ANTONIO)

Petition for review denied

S220741 D064276 Fourth Appellate District, Div. 1 PEOPLE v. CHENAULT

(DARRELL L.)

S220755 B251093 Second Appellate District, Div. 6 PEOPLE v

PEOPLE v. ESCOBEDO (LUPE GONZALES)

Petition for review denied

**S220758** B257859 Second Appellate District, Div. 1

GERSHOVICH (STAN) v. S.C.

(KOVICH)

(KENNETH)

Petition for review denied

S220780 E055382 Fourth Appellate District, Div. 2 PEOPLE v. DIAZ (CARLOS)

Petitions for review denied

Appellant Diaz's petition for review is denied without prejudice to any relief to which appellant might be entitled after this court decides *In re Alatriste*, S214652, and *In re Bonilla*, S214960. Appellant Figueroa's petition for review is denied.

S220788 C073731 Third Appellate District PEOPLE v. ELDER

Petition for review denied

Cantil-Sakauye, C. J., was recused and did not participate.

S220799 A142285 First Appellate District, Div. 5 FENG (JANE) v. YANG

(DAVID)

Petition for review denied

S220800 H039399 Sixth Appellate District LINCOLN (TERRANCE RAY)

ON H.C.

Petition for review denied

S220818 B258079 Second Appellate District, Div. 7 ROMERO-LUNA (SAUL) ON

H.C.

Petition for review denied

S220822 B244722 Second Appellate District, Div. 5 PEOPLE v. LUNA (NESTOR)

B252133 Second Appellate District, Div. 6 IN RE C.L. S220831

Petition for review denied

S220833 A133094 First Appellate District, Div. 1 PEOPLE v. MITCHELL

(JAMES RAPHAEL WHITTY)

Petition for review denied

S220835 A139499 First Appellate District, Div. 1 PEOPLE v. BROWN (ANDREW THOMAS)

Petition for review denied

S220836 C073942 Third Appellate District LOWE (FLOYD) v. S.C.

(PEOPLE)

Petition for review denied; CA opinion decertified

The petition for review is denied.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed July 25, 2014, which appears at 228 Cal. App. 4th 387. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

B245656 Second Appellate District, Div. 7 S220842 PEOPLE v. SANTOS (DAVID CESAR)

Petition for review denied

S220852 E055186 Fourth Appellate District, Div. 2 BLYTHE (STEPHANIE) v. **COUNTY OF RIVERSIDE** 

Petition for review denied

G050536 Fourth Appellate District, Div. 3 S220861 **BROWN (LAWRENCE** 

**JOSEPH) v. S.C. (PEOPLE)** Petition for review denied

S220868 A137906 First Appellate District, Div. 1 PEOPLE v. MURPHY

(RALPH)

**S220872** B250227 Second Appellate District, Div. 6

ERISMAN (KEN), ERISMAN (KEN) & ERISMAN (MARIE) v. JP MORGAN CHASE BANK

Petition for review denied

S220877 B251976 Second Appellate District, Div. 6

MASON (JEANNIE) v. WELLS FARGO HOME MORTGAGE, INC.

Petition for review denied

Baxter, J., was recused and did not participate.

S220878 D064040 Fourth Appellate District, Div. 1

STRAASS (KAREN) v. DeSANTIS (FRANK)

Petition for review & publication request(s) denied

**S220880** A137929 First Appellate District, Div. 4

AJAMIAN (MARGARITA) v. TERZIAN-FELIZ (SANDRA)

Petition for review denied

**S220881** F067437 Fifth Appellate District

PEOPLE v. SANTEMA (GARY

PHILLIP)

Petition for review denied

**S220887** C072591 Third Appellate District

SUTTER HEALTH v. S.C.

(ATKINS)

Petition for review denied

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

S220889 H039625 Sixth Appellate District

PEOPLE v. MEDINA (LUIS

**ALBERTO**)

Petition for review denied

**S220890** G048358 Fourth Appellate District, Div. 3

PEOPLE v. MOLINA (MICHAEL ANTHONY)

S220898 B250719 Second Appellate District, Div. 6 PEOPLE v. DERMESROBIAN (VAHE)

Petition for review denied

S220901 F064657 Fifth Appellate District PEOPLE v. HER (MING CHIA)

Petition for review denied

S220921 B251839 Second Appellate District, Div. 1 PEOPLE v. DEVILLE (PATRICK EDWARD)

Petition for review denied

S220924 B250216 Second Appellate District, Div. 6 PEOPLE v. GARCIA (LARRY

STEVE)

Petition for review denied

S220926 C075668 Third Appellate District CALIFORNIA HIGH-SPEED

RAIL AUTHORITY v. S.C.

(TOS)
Petitions for review denied

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

S220934 C073763 Third Appellate District DUMMETT, JR., (JOHN

ALBERT) v. BOWEN

(DEBRA)

Petition for review denied

S220940 D063806 Fourth Appellate District, Div. 1 PEOPLE v. CAMPBELL

(ERIC GREGORY)

Petition for review denied

S220941 E058506 Fourth Appellate District, Div. 2 PEOPLE v. KEEN (BRANDON

SCOTT)

S220943 B248669 Second Appellate District, Div. 4 PEOPLE v. PRATHER (CHRISTOPHER TRAMAIN)

Petition for review denied

S220944 E058988 Fourth Appellate District, Div. 2 PEOPLE v. STEWART (THYRONE RYAN)

Petition for review denied

S220945 E061694 Fourth Appellate District, Div. 2 WASHBON (STEVEN EUGENE) ON H.C.

Petition for review denied

S220947 C075188 Third Appellate District PEOPLE v. WILDE (DAVID SACHIO)

Petition for review denied

S220948 B247857 Second Appellate District, Div. 2 PEOPLE v. CORELLEONE (ACHILLES)

Petition for review denied

S220954 B253681 Second Appellate District, Div. 6 PEOPLE v. STORMOEN (JERE ALAN)

Petition for review denied

S220956 A142783 First Appellate District, Div. 1 SMOCK (JEFFREY) v. S.C. (PEOPLE)

Petition for review denied

S220958 B256572 Second Appellate District, Div. 2 TODD (DONALD SHERWIN) v. TODD (TROY)

Petition for review denied

S220969 FLETCHER ON ADMISSION
Petition for review denied – MICHAEL R. FLETCHER

S220970 B244327 Second Appellate District, Div. 3 BARRERAS (ESTELA M.) v. BEBBER (RONALD VAN)

Petition for review denied

S220972 C061487 Third Appellate District PEOPLE v. JONES (TRACY MAXXIZZINE)

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Conley*, S211275.

S220973 D063926 Fourth Appellate District, Div. 1 PEOPLE v. KING (NEOPLEAN DEVON)

Petition for review denied

S220974 E061592 Fourth Appellate District, Div. 2 KLINEFELTER (JEFFREY

SCOTT) v. S.C. (PEOPLE)

Petition for review denied

S220984 C072371 Third Appellate District LOVELACE (MICHAEL) v. PNEUMO ABEX LLC

Petition for review denied

S220989 B258137 Second Appellate District, Div. 8 BELLAVIA (JOSEPH FRANK)

v. S.C. (BEITLER & ASSOCIATES, INC.)

Petition for review denied

S220994 C070991 Third Appellate District PEOPLE v. BURKE (ADAM

LEE)

Petition for review denied

S220995 C070588 Third Appellate District PEOPLE v. MASK (BOBBY)

Petition for review denied

S220996 F066691 Fifth Appellate District PEOPLE v. SIMS (RANDY)

S220997 B247287 Second Appellate District, Div. 7 PEOPLE v. BURROUGH (NYKAZA DEWHITE)

Petition for review denied

S221000 B243887 Second Appellate District, Div. 1 NUVISION FEDERAL

CREDIT UNION v. BELICIU

(GIORGIAN)

Petition for review denied

S221001 F066553 Fifth Appellate District PEOPLE v. KEEVER (TERRY

PAUL)

Petition for review denied

S221007 A136484 First Appellate District, Div. 1 PEOPLE v. WOLCOTT

(OLIVER E.)
Petition for review denied

S221009 B250635 Second Appellate District, Div. 7 PEOPLE v. BROWN (SEAN EZRA)

Petition for review denied

S221010 F068967 Fifth Appellate District LEWIS (CHARLES

ORLANDO) v. S.C. (PEOPLE)

Petition for review & application for stay denied

S221016 A137795 First Appellate District, Div. 4 PEOPLE v. BROOKS (DAVID

ANTHONY)

Petition for review denied

S221018 B252549 Second Appellate District, Div. 5 PEOPLE v. ALANIZ (JOSE

REFUGIO)

Petition for review denied

The request for judicial notice is granted.

S221019 F065248 Fifth Appellate District PEOPLE v. SOTO (JOSE)

Petition for review denied

S221024 H039131 Sixth Appellate District PEOPLE v. LE (OPHUS

HUYNH)

Petition for review denied

S221033 B245910 Second Appellate District, Div. 1 PEOPLE v. VARGAS (RODOLFO ANTHONY)

Petition for review denied

S221034 C072780 Third Appellate District PEOPLE v. BLAYLOCK (ANTHONY AARON)

Petition for review denied

S221040 B248545 Second Appellate District, Div. 2 PEOPLE v. SIKIVOU

(ELENOA)

Petition for review denied

S221045 G048645 Fourth Appellate District, Div. 3 PEOPLE v. KIEU (CATHERINE)

Petition for review denied

S221057 F068218 Fifth Appellate District JONES (JASON EARL) v. STATE OF CALIFORNIA

Petition for review denied

S221059 C077093 Third Appellate District BURTON (HARRISON) ON

H.C.

Petition for review denied

S221064 F066479 Fifth Appellate District STONE (HEATHER R. &

**BENJAMIN W.), MARRIAGE** 

**OF** 

**S221067** B258252 Second Appellate District, Div. 7 **DONN (ARON) ON H.C.** Petition for review denied

**S221068** E058870 Fourth Appellate District, Div. 2 **PEOPLE v. DILL (LEROY)** Petition for review denied

S221070 E057475 Fourth Appellate District, Div. 2 PEOPLE v. MOORE, JR., (LOUIS JEFFREY)

Petition for review denied

S221071 F064340 Fifth Appellate District PEOPLE v. CABRERA (PETER)

Petition for review denied

**S221072** B253163 Second Appellate District, Div. 5 **IN RE AUDREY H.** Petition for review denied

S221073 E059216 Fourth Appellate District, Div. 2 PEOPLE v. M. (MICHAEL)
Petition for review denied

S221077 B257921 Second Appellate District, Div. 2 HAYES (KEVIN L.) v. S.C. (PEOPLE)

Petition for review denied

S221079 H039714 Sixth Appellate District WRIGHT (LINDA A.) v.
TUFFT (MARGARET
ELIZABETH)

Petition for review denied

**S221089** E060807 Fourth Appellate District, Div. 2 **PEOPLE v. ESCOTO (NOE)** Petition for review denied

S221091 B241951 Second Appellate District, Div. 3 SABER (SAM) v. SABER (MARY)

Petition for review denied

Chin, J., was recused and did not participate.

S221092 C073329 Third Appellate District PEOPLE v. GUILFORD (MICHAEL)

Petition for review denied

S221096 B235369 Second Appellate District, Div. 3 SABER (MARY) v. BANK OF

AMERICA

Petition for review denied

Chin, J., was recused and did not participate.

S221097 B225152 Second Appellate District, Div. 3 SABER (MARY ANN) v. SABER (SAM)

Petition for review denied

Chin, J., was recused and did not participate.

S221098 B243893 Second Appellate District, Div. 1 PEOPLE v. TAMAYO (GUSTAVO J.)

Petitions for review denied

S221099 A139522 First Appellate District, Div. 3 MYLES (TOMMIE L.) v. FARMERS GROUP, INC.

Petition for review denied

S221100 H038871 Sixth Appellate District PEOPLE v. DANG (THANH

TOAN)

Petition for review denied

S221101 D064376 Fourth Appellate District, Div. 1 PEOPLE v. LAWSON

(NICHOLAS S.)

S221105 H039212 Sixth Appellate District PEOPLE v. GARCIA (ELI ESCOBAR)

Petition for review denied

S221108 C077236 Third Appellate District RHINEHART (LAMONT LEE) ON H.C.

Petition for review denied

S221113 B198506 Second Appellate District, Div. 3 SABER (MARY) v. SABER (SAM)

Petition for review denied

Chin, J., was recused and did not participate.

S221118 B241976 Second Appellate District, Div. 5 KOTORA (SUSAN) v. AMES (ROBERT HENRY)

Petition for review denied

S221121 C074820 Third Appellate District PEOPLE v. SPEARS (ALVIN LOUIS)

Petition for review denied

S221123 G050474 Fourth Appellate District, Div. 3 ARNETT (JESUS LAMAR) ON H.C.

Petition for review denied

S221127 H039951 Sixth Appellate District PEOPLE v. GRIFFITH (HOWARD EUGENE)

Petition for review denied

S221134 B253266 Second Appellate District, Div. 5 MARBLE (CHRIS) v. FIBIGER (LORA)

BLOXHAM (JACQUES) v. SALDINGER (TODD)

S221137 Petition for re	A139229 First Appellate District, Div. 5	PEOPLE v. SCOTT (DANIEL JAMES)
S221138 Petition for re	E058595 Fourth Appellate District, Div. 2	PEOPLE v. GRAY (QUINTON ULESSESS)
S221141 Petition for re	D065633 Fourth Appellate District, Div. 1 view denied	PEOPLE v. THOMAS (BRYAN ROY)
S221143 Petition for re	H041223 Sixth Appellate District view denied	HAQUE (SERAJUL) v. FRY'S ELECTRONICS, INC.
S221149 Petition for re	C077157 Third Appellate District view denied	O'BRIEN (JAMES R.) ON H.C.
S221155 Petition for re	C074247 Third Appellate District view denied	PEOPLE v. RICH (SHANE ALEXANDER)
S221166 Petition for re	G049832 Fourth Appellate District, Div. 3 view denied	PEOPLE v. GONZALEZ (LEONARDO)
S221171 Petition for re	A140048 First Appellate District, Div. 1 view denied	PEOPLE v. MELENDEZ (OMAR MEJIA)

H038040 Sixth Appellate District

S221176

**S221185** F069632 Fifth Appellate District

**GRANGETTO (MARK) ON** 

Petition for review denied

**S221188** B249092 Second Appellate District, Div. 3

PEOPLE v. GONZALEZ

(JONATHAN)

Petition for review denied

S221246 H041315 Sixth Appellate District

GUANCIONE (ROSALIE

AUBREE) v. S.C. (PEOPLE)

Petition for review & application for stay denied

S221248 H041316 Sixth Appellate District

**GUANCIONE** (ROSALIE) v.

S.C. (PEOPLE)

Petition for review & application for stay denied

S221707 G050671 Fourth Appellate District, Div. 3

GABRILL (JOSEPH) v. S.C.

(OFFICE OF COUNTY

COUNSEL)

Petition for review & application for stay denied

Petition for writ of habeas corpus denied

HUNTER (RONNIE M.) ON H.C.

The petition for writ of habeas corpus is denied without prejudice to the filing of a petition for a writ of mandate in the Court of Appeal if trial to commit petitioner as a Sexually Violent Predator does not commence by the end of calendar year 2015.

S218970

S212150

ROUNDTREE (JACK E.) ON

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S218980

TAYLOR (LEIF) ON H.C.

KRONE (DANIEL FREDERICK) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S219690

**REYES (GEORGE M.) ON** 

H.C.

Petition for writ of habeas corpus denied

S219834

**ANTILIA (ANTHONY) ON** 

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S219849

**DEL RIO (RAMON) ON H.C.** 

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921, 925.)

S219854

**NGUYEN (CUONG VIET) ON** 

H.C.

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S219912

**JONES (MATTHEW STEVEN)** 

ON H.C.

Petition for writ of habeas corpus denied

S219933

KIM (RATANAK DAVID) ON

H.C.

Petition for writ of habeas corpus denied

S219936

**JONES (MATTHEW STEVEN)** 

ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

MAURTUA III (VICTOR MANUEL) ON H.C.

Petition for writ of habeas corpus denied

S220080

LONGORIA (ISMAEL MOJARRA) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S220081

MARLIN (TERRY LEE) ON

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S220093

SCOTT (ERIC D.) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S220094

WARNER (ERIC WILLIAM)

ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S220095

CONWAY (LAWRENCE) ON

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220113

HALL (NATHAN) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S220114

WATSON (NYLES LaWAYNE) ON H.C.

Petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

WARREN (THOMAS P.) ON

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S220158

**RATLIFF (JAMES MONROE)** 

ON H.C.

Petition for writ of habeas corpus denied

S220161

**MONTANEZ (EDDIE L.) ON** 

H.C.

Petition for writ of habeas corpus denied

S220176

MONDRAGON (STANLEY)

**ON H.C.** v. *Duvall* (1995) 9 Ca

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S220209

HARDIN (TONY) ON H.C.

Petition for writ of habeas corpus denied

S220245

**JOHNSON (TEDDINO) ON** 

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S220306

VLAHOS-SCHMIDT

(GINGER) ON H.C.

Petition for writ of habeas corpus denied

S220309

ADAMS (PHILLIP D.) ON

H.C.

OWENS (KIM L.) ON H.C.

Petition for writ of habeas corpus denied

S220354

MOLINA (MARGARITO BELTRAN) ON H.C.

Petition for writ of habeas corpus denied

S220358

THOMPSON (DEWAYNE) ON

H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S220360

VLAHOS-SCHMIDT (GINGER) ON H.C

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735.)

S220364

**HUMPHREY (IRVING C.) ON** 

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220365

ANDROSHCHUK (EDWARD)

ON H.C.

Petition for writ of habeas corpus denied

S220367

**BRINSON (HIRAM) ON H.C.** 

Petition for writ of habeas corpus denied

S220368

SANDHER (JOGA SINGH) ON

H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220370

**SWANIGAN (FRED) ON H.C.** 

S220374 BODDIE (ALEXANDER) ON

H.C. Petition for writ of habeas corpus denied

S220379 BUSH (GARY L.) ON H.C.

Petition for writ of habeas corpus denied

S220387 QUIJANO (MARIA) ON H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220407 ANDERSON (CHARLES

JAMES) ON H.C.

Petition for writ of habeas corpus denied

S220409 WEST (DARRYL

DEMETRIOUS) ON H.C.

Petition for writ of habeas corpus denied

S220413 DAVIS (CLARENCE) ON H.C.

Petition for writ of habeas corpus denied

S220415 WRIGHT (DONALD RAY) ON

H.C.

Petition for writ of habeas corpus denied

S220418 THOMAS (MICHAEL EUGENE) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220421 MORALES (JOSE RAMON)

ON H.C.

**BROWN (JEFFRICK) ON H.C.** 

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S220439

THAO (LUE SENG) ON H.C.

Petition for writ of habeas corpus denied

S220440

WEBSTER (DERWIN L.) ON

H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220443

MORALES (ALEJANDRO

JOSE) ON H.C.

Petition for writ of habeas corpus denied

S220456

FAWKES (LESTER) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220459

RHODES (DONALD) ON H.C.

Petition for writ of habeas corpus denied

S220462

**HEWITT (EDDIE J.) ON H.C.** 

Petition for writ of habeas corpus denied

S220466

CARLOS (JORGE HUMBERTO) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220470

GUZMAN (DENNIS) ON H.C.

S220473 EVERIDGE (BRYANT) ON

H.C.

Petition for writ of habeas corpus denied

S220475 LAUREL (DOMINGO) ON

H.C.

Petition for writ of habeas corpus denied

S220478 LaBON (GARY DeVAUGHN)
ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S220483 SMITH (DEANDRE R.) ON H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220504 ESTRADA (MARIO) ON H.C.

Petition for writ of habeas corpus denied

S220521 OCEGUERA (JOSEPH

ANTHONY) ON H.C.

Petition for writ of habeas corpus denied

S220522 BATMAN (JASON) ON H.C.

Petition for writ of habeas corpus denied

S220545 NUBIOLA (MANUEL) ON

H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925.)

RUBIO (TEODOCIO) ON H.C.

Petition for writ of habeas corpus denied

S220553

WALKER (EARL) ON H.C.

Petition for writ of habeas corpus denied

S220558

MENJIVAR (OSCAR LEONEL) ON H.C.

Petition for writ of habeas corpus denied

S220568

CALHOUN (DOUGLAS MARK) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S220572

GARRETT (RUSSELL) ON

H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220573

WARE (ALLEN KIRK) ON

H.C.

Petition for writ of habeas corpus denied

S220575

**GALLEGOS (FELICIANO)** 

ON H.C.

Petition for writ of habeas corpus denied

S220576

WHITE (MICHAEL) ON H.C.

Petition for writ of habeas corpus denied

S220578

**BROWN (RICHARD) ON H.C.** 

S220581 THORNTON (WILLIAM CECIL) ON H.C.

Petition for writ of habeas corpus denied

S220603 JOHNSON (ARCHIE) ON H.C.

Petition for writ of habeas corpus denied

S220635 NEWTON (ROY) ON H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S220638 WARE (ALLEN KIRK) ON

H.C.

Petition for writ of habeas corpus denied

S220644 BARNETT (BRIAN KEITH)

ON H.C.

Petition for writ of habeas corpus denied

S220784 PARK (JIN WOO) ON H.C.

Petition for writ of habeas corpus denied

S220300 B248765 Second Appellate District, Div. 5 RUMPH (PAMELA ESTELLE)

v. MAYO (TERRY)

Publication request denied (case closed)

S220319 B252723 Second Appellate District, Div. 7 IN RE MAYA S.

Publication request denied (case closed)

S220429 H038557 Sixth Appellate District CHAVEZ (FEDERICO) v. MENESHKE LAW FIRM

Publication request denied (case closed)

S220540 B251894 Second Appellate District, Div. 7 IN RE W.T.

Publication request denied (case closed)

S220564 B252666 Second Appellate District, Div. 1 IN RE FERNANDO P.

Publication request denied (case closed)

S220612 G048554 Fourth Appellate District, Div. 3 KLUG (TRACE) v. CITY OF

LAGUNA BEACH

Publication request denied (case closed)

S220683 G048821 Fourth Appellate District, Div. 3 T. (I. & A.), MARRIAGE OF

Publication request denied (case closed)

S220717 B245897 Second Appellate District, Div. 3 FLORES (LIBERTAD) v. S.C.

(POLLY'S PIES, INC.)

Publication request denied (case closed)

S220730 D064006 Fourth Appellate District, Div. 1 SAVE OUR HERITAGE

**ORGANISATION v. COUNTY** 

OF SAN DIEGO

Publication request denied (case closed)

S220745 B249085 Second Appellate District, Div. 1 IN RE E.C.

Publication request denied (case closed)

S220747 B251980 Second Appellate District, Div. 5 BACHENHEIMER (BETH) v.

WELLS FARGO BANK, N.A.

Publication request denied (case closed)

Baxter, J., was recused and did not participate.

S220748 G049148 Fourth Appellate District, Div. 3 GILBERT (ARTHUR) v.

CHIANG (JOHN)

Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied. The court declines to review this matter on its own motion. The matter is now final.

S220770 A141956 First Appellate District, Div. 4 EVES (ROBERT J.) v. S.C. (EVES & EVES)

Publication request denied (case closed)

S220951 D O VENTURES LLC v. ESPINO (MARIA)

Publication request denied (case closed)

S221441 PEOPLE v. PALACIOS

(NESTOR E.)

Publication request denied (case closed)

S221452 PEOPLE v. S.C. (WILSON)

Publication request denied (case closed)

S221788 A135577 First Appellate District, Div. 2 FONTENO (LEROY) v. WELLS FARGO BANK, N.A.

Time for ordering review extended on the court's own motion The time for granting review on the court's own motion is hereby extended to December 16, 2014. (Cal. Rules of Court, rule 8.512(c).)

S086234 PEOPLE v. MILES (JOHNNY DUANE)

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Seth M. Friedman's representation that the respondent's brief is anticipated to be filed by November 13, 2014, counsel's request for an extension of time in which to file that brief is granted to November 13, 2014. After that date, no further extension is contemplated.

S161909 PEOPLE v. SHOVE (THEODORE CHURCHILL)

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 19, 2014.

PEOPLE v. VOLARVICH (BRENDT ANTHONY)

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's request for extension of time is 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 1, 2014.

S196994

BOOKER (RICHARD LONNIE) ON H.C.

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Ronald A. Jakob's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 18, 2015, counsel's request for an extension of time in which to file that document is granted to December 16, 2014. After that date, only three further extensions totaling about 180 additional days are contemplated.

S206945

BECK (JAMES DAVID) ON H.C.

Extension of time granted

Good cause appearing, and based upon counsel Michael Laurence's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 24, 2014, counsel's request for an extension of time in which to file that document is granted to October 24, 2014. After that date, no further extension will be granted.

**S214855** B237153 Second Appellate District, Div. 1

STATE DEPARTMENT OF FINANCE v. COMMISSION ON STATE MANDATES (COUNTY OF LOS ANGELES)

Extension of time granted

On application of appellants and real parties in interest and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to October 21, 2014.

**S217763** B245131 Second Appellate District, Div. 5

CENTER FOR BIOLOGICAL DIVERSITY v. DEPARTMENT OF FISH & WILDLIFE (NEWHALL LAND & FARMING COMPANY)

Extension of time granted

On application of Plaintiffs and Respondents and good cause appearing, it is ordered that the time to serve a consolidated reply brief on the merits is extended to November 26, 2014. The reply brief on the merits must not exceed 16,800 words.

No further extensions of time are contemplated.

S218233 D062659 Fourth Appellate District, Div. 1 PEOPLE v. GARCIA (HUGO)

Extension of time granted

On application of 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 13, 2014.

S218247

LANCASTER (MARCUS) 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 the petition for writ of habeas corpus is extended to November 17, 2014.

S221346 B258067 Second Appellate District, Div. 1 FONSECA (GERARDO) 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 answer to petition for review is extended to October 21, 2014.

No further extensions will be considered.

S180711

PEOPLE v. KLING (RANDOLPH CLIFTON)

Counsel appointment order filed

Attorney Phillip H. Cherney, previously appointed to represent appellant Randolph Clifton Kling for the direct appeal in the above automatic appeal now pending in this court, is hereby appointed to also represent appellant Randolph Clifton Kling for habeas corpus/executive clemency proceedings related to the automatic appeal.

S214058 B242054 Second Appellate District, Div. 2 BARRY (PATRICIA J.) v.

STATE BAR OF CALIFORNIA

Order filed

The Clerk of the Supreme Court Clerk is directed to strike the filing of respondent's motion for relief from default and for other relief, and to return the motion to respondent. On its own motion, the court grants respondent relief from default. The clerk is directed to file the document entitled "Patricia Barry's Answering Brief," submitted by Barry to the court on September 29, 2014.

S219448 G048572 Fourth Appellate District, Div. 3 PEOPLE v. TREJO (KEVIN BERMUDEZ)

Order filed

The order appointing Maria Leftwich as counsel for appellant filed on September 30, 2014, is hereby amended to reflect the above case title.

S219615 B256765 Second Appellate District, Div. 1 BARBOSA (LUIS) v. S.C. (PEOPLE)

Order filed

Pending further order of this court, trial in *People v. Luis Barbosa*, Los Angeles County Superior Court No. BA414505, is hereby stayed.

S221458 B252999 Second Appellate District, Div. 5 IN RE ALEXANDRIA P.

Order filed

The application of objectors and appellants to file a combined reply brief to all answers submitted by other parties in response to their petition for review is hereby granted.

The combined reply brief to all answers to the petition for review of objectors and appellants shall be served and filed within ten days after the final answer is filed per California Rules of Court, rule 8.500(e)(5).

S221094 ACCUSATION OF MENDOZA

Petition denied (accusation)

A143208 First Appellate District, Div. 3 HILL (ANNLIA PAGANINI) v. S.C.

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Three to Division Two.