

**SUPREME COURT MINUTES  
WEDNESDAY, OCTOBER 19, 2016  
SAN FRANCISCO, CALIFORNIA**

**S236728**      B260774 Second Appellate District, Div. 4      **PEOPLE v. FRIERSON  
(JAMES BELTON)**

Petition for review granted

The petition for review is granted. The issue to be briefed and argued is limited to the following: What is the standard of proof for a finding of ineligibility for resentencing under Proposition 36? (See *People v. Arevalo* (2016) 244 Cal.App.4th 836; cf. *People v. Osuna* (2014) 225 Cal.App.4th 1020.)

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

**S236765**      **LIBERTY SURPLUS  
INSURANCE  
CORPORATION; LIBERTY  
INSURANCE  
UNDERWRITERS, INC. v.  
LEDESMA & MEYER  
CONSTRUCTION  
COMPANY, INC.; LEDESMA  
(JOSEPH); MEYER (KRIS)**

Request for certification granted

The court grants the request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. For the purposes of briefing and oral argument, Ledesma & Meyer Construction Co., Inc., Joseph Ledesma, and Kris Meyer are deemed the petitioners in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

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

**S220280**      H039825 Sixth Appellate District      **IN RE A.S.**

Order filed: case held pending decision in another case

Review was granted in this matter on September 24, 2014. The court has determined that further action will be deferred pending consideration and disposition of a related issue in *People v. Hall*, S227193 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further action of the court.

**S236618**

B266497 Second Appellate District, Div. 5

**PEOPLE v. McCAW  
(MICHAEL G.)**

Petition for review granted; briefing deferred

The People’s petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gallardo*, S231260 (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. Defendant’s petition for review is denied.

Votes: Cantil-Sakauye, C. J., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S236684**

C077468 Third Appellate District

**PEOPLE v. KNIGHT  
(VONTRE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Chaney*, S223676, and *People v. Valencia*, S223825 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237104**

E063407 Fourth Appellate District, Div. 2

**PEOPLE v. CASTILLO  
(ANGELA MARIE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gonzales*, S231171 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237106**

E063687 Fourth Appellate District, Div. 2

**PEOPLE v. ABARCA, JR.,  
(WILLIE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Gonzales*, S231171 (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., Werdegarr, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237188**      B264170 Second Appellate District, Div. 6      **PEOPLE v. BURRIS**  
**(EDWARD)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Chaney*, S223676, and *People v. Valencia*, S223825 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237197**      B264206 Second Appellate District, Div. 8      **PEOPLE v. MARTINEZ**  
**(SASHA)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Romanowski*, S231405 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237208**      A145411 First Appellate District, Div. 4      **IN RE ANA C.**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Hall*, S227193 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237209**      C079411 Third Appellate District      **PEOPLE v. STOUT**  
**(DOUGLAS JEREMIAH)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Valenzuela*, S232900 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

**S237227**      E064996 Fourth Appellate District, Div. 2      **PEOPLE v. SANDERS, JR.,**  
**(ROLAND)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration

and disposition of a related issue in *People v. Valenzuela*, S232900 (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., Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger, JJ.

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

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One

The petition for review is granted, and the matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Grimes* (2016) 1 Cal.5th 698.

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

**S236755**      B271997 Second Appellate District, Div. 1      **P. (WILDER),  
GUARDIANSHIP OF**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division One, 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 District, Division One, with directions to vacate its order denying mandate and to issue an order directing Superior Court to show cause why the relief sought in the petition should not be granted.

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

**S219821**      A135974 First Appellate District, Div. 4      **PEOPLE v. ROSE  
(CAMERON)**

Dismissed and remanded to Court of Appeal, First Appellate District, Division Four

Review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Defendant's request for depublication, filed in this court on July 17, 2014, is denied as moot. (*Id.*, former rule 8.1105(e)(1).)

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

**S226521**      B242220/B244407 Second Appellate District, Div. 2      **FTR INTERNATIONAL, INC.  
v. BOARD OF TRUSTEES OF  
THE LOS ANGELES  
COMMUNITY COLLEGE  
DISTRICT**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two

Review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b).)

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

**S230808**      D068213 Fourth Appellate District, Div. 1      **YOUNG’S MARKET COMPANY v. S.C. (SAN DIEGO UNIFIED SCHOOL DISTRICT)**

Transferred to Court of Appeal, Fourth Appellate District, Division One, after hold  
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *Property Reserve, Inc. v. Superior Court* (2016) 1 Cal.5th 151 (Cal. Rules of Court, rule 8.528(d).)

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

**S234737**      C072585 Third Appellate District      **CROSSROADS INVESTORS, L.P. v. FEDERAL NATIONAL MORTGAGE ASSOCIATION**

Transferred to Court of Appeal, Third Appellate District, after hold  
The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, for reconsideration in light of the decision in *Baral v. Schnitt* (2016) 1 Cal.5th 376. The Reporter of Decisions is directed not to publish the Court of Appeal opinion in this matter, filed April 14, 2016, in the Official Reports.

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

**S236231**      B271778 Second Appellate District, Div. 4      **ESTRADA (MARIO) ON H.C.**  
Petition for review denied

**S236256**      F070715 Fifth Appellate District      **PEOPLE v. CASTANEDA (JESUS RICARDO)**  
Petition for review denied

**S236430**      D069900 Fourth Appellate District, Div. 1      **PEOPLE v. HERNANDEZ (JAVIER)**  
Petition for review denied

**S236433**      D069663 Fourth Appellate District, Div. 1      **PEOPLE v. HERNANDEZ (JUSTIN ROBERT)**  
Petitions for review denied

**S236536** F069891 Fifth Appellate District

Petition for review denied

**PEOPLE v. MURPHY  
(GEOFF)**

**S236573** C076408 Third Appellate District

Petition for review denied

**PEOPLE v. ADAMS (JERRY  
TWOTUFF)**

**S236583** B264639 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. KANE (MICHAEL  
R.)**

**S236591** C075191 Third Appellate District

Petition for review denied

**PEOPLE v. RANLET (ADAM  
BILL)**

**S236604** A134913 First Appellate District, Div. 4

The applications to appear as counsel pro hac vice are granted. The petition for review is denied.

**IN RE AUTOMOBILE  
ANTITRUST CASES I & II**

**S236615** B256043 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. HYDRICK  
(JAMES ALLEN)**

**S236616** D069661 Fourth Appellate District, Div. 1

Petitions for review denied

**PEOPLE v. FIELD (MARTIN)**

**S236623** F069721 Fifth Appellate District

Petition for review denied

**PEOPLE v. XIONG (TOU  
VANG)**

**S236639** E063900 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JEFFERSON  
(LAMONTE ALVIN)**

**S236661** F069687 Fifth Appellate District

Petition for review denied

**PEOPLE v. LEAVY  
(MARQUISE D.)**

**S236681** B276310 Second Appellate District, Div. 8

Petition for review denied

**CHEN (ALVIN) v. S.C.  
(PEOPLE)**

**S236723** B276338 Second Appellate District, Div. 3  
Petition for review denied

**MUNOZ (SELINA) ON H.C.**

**S236770** B262351 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TORRES  
(ARTURO)**

**S236800** E062831 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GRIFFIN  
(RAYMOND)**

**S236809** C080326 Third Appellate District

Petition for review denied

**PEOPLE v. STEWARD  
(ROBERT MANUEL)**

**S236827** A143634 First Appellate District, Div. 1

Petition for review & depublication request(s) denied

**COMMUNITIES FOR A  
BETTER ENVIRONMENT v.  
BAY AREA AIR QUALITY  
MANAGEMENT DISTRICT  
(KINDER MORGAN  
MATERIAL SERVICES, LLC)**

**S236840** C073647 Third Appellate District

Petition for review denied

**PEOPLE v. GREENWOOD  
(MARQUIS)**

**S236862** A148686 First Appellate District, Div. 3

Petition for review denied

**WINNINGHAM (MANNY) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD; STATE OF  
CALIFORNIA DEPARTMENT  
OF CORRECTIONS &  
REHABILITATION)**

**S236898** B260596 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MAGALLON  
(ANDREW JOSHUA)**

**S236941** E064549 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HARRISON  
(JAMIE ROZELLE)**

**S236979** C082326 Third Appellate District

Petition for review denied

**MYKLES (EARL) v. PUBLIC  
EMPLOYMENT RELATIONS  
BOARD (SERVICE  
EMPLOYEES  
INTERNATIONAL UNION  
LOCAL 1000)**

**S236983** H043782 Sixth Appellate District

Petition for review denied

**ZHAI (ANN) v. S.C.  
(CALIFORNIA LABOR  
COMMISSIONER'S OFFICE)**

**S236988** B271680 Second Appellate District, Div. 1

Petition for review denied

**McKEEHAN (DANIEL) ON  
H.C.**

**S237013** F069380 Fifth Appellate District

Petition for review denied

**PEOPLE v. BISEL  
(GREGORY EUGENE)**



**S237046** E062822 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. JOHNSON  
(MAYNARD ANDREW)**

**S237047** B266108 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. REYES  
(CRISTIAN)**

**S237079** A147324 First Appellate District, Div. 3

Petition for review denied

**PANOUSOPOULOS  
(NICHOLAS) v. THE  
KARSANT FAMILY  
LIMITED PARTNERSHIP**

**S237108** B277264 Second Appellate District, Div. 8

Stay dissolved; petition denied

The petition for review is denied. The stay previously issued by this court is dissolved.

**BISHOP (LARRY) v. S.C.  
(PEOPLE)**

**S237114** E064238 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FRAZIER (SEAN  
PAUL ANTHONY)**

**S237128** F069959 Fifth Appellate District

Petitions for review denied

**GROW LAND & WATER LLC  
v. McCARATHY FAMILY  
FARMS INC.**

**S237129** B266299 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. VALCILLO  
(OLVIN ROLANDO)**

**S237146** D069186 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LONG (CHAD  
DUANE)**

**S237147** B268787 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. ERVIN (OTIS  
FITZGERALD)**

**S237148** B263078 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. WASHINGTON  
(CLINZELL)**

**S237154** H041299 Sixth Appellate District

Petition for review denied

**PEOPLE v. ROGERS  
(DANIEL)**

**S237161** E066665 Fourth Appellate District, Div. 2

Petition for review denied

**SAKELLARIDIS (VASILIS) v.  
S.C. (PEOPLE)**

**S237171**

Petition for writ of mandate/prohibition denied

**NATHAN (ERIC L.) v. COURT  
OF APPEAL, SECOND  
APPELLATE DISTRICT,  
DIVISION FIVE (PEOPLE)**

**S237176** B263518 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CLEVELAND  
(DOMINGO LAMONT)**

**S237183**

Petition for writ of mandate/prohibition denied

**BOONE (JAMES) v. COURT  
OF APPEAL, FIFTH  
APPELLATE DISTRICT  
(PEOPLE)**

**S237190** B265374 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. McNEIL (CARL)**

**S237192** C072265 Third Appellate District

Petition for review denied

**PEOPLE v. MARTIN  
(MATTHEW BRYAN)**

**S237198** B266968 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. LEVINE (SCOTT  
WILLIAM)**

**S237200**

Petition for writ of error *coram vobis* denied

**TUILEFANO (MARC W.) v.  
S.C. (PEOPLE)**

**S237207** E066685 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

**SMITH (CRISTIN CONRAD)  
v. S.C. (PEOPLE)**

**S237223** D068385 Fourth Appellate District, Div. 1

Petition for review denied

**STEIGER (LEE) v. STEIGER  
(PAUL)**

**S237224**

Petition for writ of mandate/prohibition denied

**TOLLIVER, SR., (DARRYL  
L.) v. CALIFORNIA  
DEPARTMENT OF  
CORRECTIONS &  
REHABILITATION (MOSER)**

**S237230** B261262 Second Appellate District, Div. 6

Petition for review denied

**ROGERS (WENDY &  
RONALD RAY), MARRIAGE  
OF**

**S237231** A143331 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MARTINEZ  
(MARY E.)**

**S237233** E062698 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WASHINGTON  
(JONATHON EDWARD)**

**S237246** D069907/D069908 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WONG, JR.,  
(SANG HING)**

**S237262** B275895 Second Appellate District, Div. 3

Petition for review denied

**MARTIN (DWIGHT) ON H.C.**

**S237263** A146158 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. RUTLEDGE  
(EUGENE DARREL)**

**S237266** A142990 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PHILLIPS  
(DARRYL KEITH)**

**S237335**

Petition for writ of mandate/prohibition denied

**SERMENO (LARRY A.) v.  
CALIFORNIA  
LEGISLATURE (STATE OF  
CALIFORNIA)**

**S237518** E066823 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

**ARMSTRONG (CHEYENNE  
AMBRIEHL) v. S.C. (PEOPLE)**

**S237620** G053945 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**GLASSDOOR, INC. v. S.C.  
(EGUMBALL, INC.)**

**S237678** B277428 Second Appellate District, Div. 8

Petition for review & application for stay denied

**CABAZON BAND OF  
MISSION INDIANS v. S.C.  
(REILLY)**

**S237739** G054079 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**HUNTER (PAULINE) v. S.C.  
(PEOPLE)**

**S234796**

Petition for writ of habeas corpus denied

**CARNEY (CHRISTIAN) ON  
H.C.**

**S235734**

Petition for writ of habeas corpus denied

**DURAN (JOSEPH ALFONSO)  
ON H.C.**

**S235746**

Petition for writ of habeas corpus denied

**ISSAC (ZOELEE) ON H.C.**

**S236695**

Petition for writ of habeas corpus denied

**MURPHY (GEOFF) ON H.C.**

**S236786**

Petition for writ of habeas corpus denied

**MIRANDA (MARIO  
MADRIGAL) ON H.C.**

**S236922**

Petition for writ of habeas corpus denied

**GARBUTT (BRYANT) ON  
H.C.**

**S237096**

Petition for writ of habeas corpus denied

**SERMENO (LARRY A.) ON  
H.C.**

**S237261****SERMENO (LARRY A.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S237329****SERMENO (LARRY A.) ON  
H.C.**

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

**S237331****SERMENO (LARRY A.) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

**S237360****SERMENO (LARRY A.) ON  
H.C.**

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

**S236426**

F071240 Fifth Appellate District

**TULARE, COUNTY OF v.  
CALIFORNIA PUBLIC  
EMPLOYMENT RELATIONS  
BOARD (SERVICE  
EMPLOYEES  
INTERNATIONAL UNION  
LOCAL 521)**

Publication request denied (case closed)

The requests for an order directing publication of the opinion in the above-entitled appeal are denied.

**S236884**

B264647 Second Appellate District, Div. 2

**OLYMPIC & GEORGIA  
PARTNERS LLC v. ARCH  
SPECIALTY INSURANCE  
COMPANY**

Publication request denied (case closed)

The requests for an order directing publication of the opinion in the above-entitled appeal are denied.

**S237049** A143765 First Appellate District, Div. 1**BORRAYO (LINDA C.) v.  
AVERY (G. JAMES)**

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.

**S237326** B260833 Second Appellate District, Div. 7**BARICKMAN (LAURA  
BETH) v. MERCURY  
CASUALTY COMPANY**

Depublication request denied (case closed)

The requests for an order directing depublication of the opinion in the above-entitled appeal are denied.

The court declines to review this matter on its own motion. The matter is now final.

**S233983** D067091 Fourth Appellate District, Div. 1**HERNANDEZ (MIKE) v.  
MULLER (FRANCESCA)/  
(RESTORATION  
HARDWARE, INC.)**

Extension of time granted

On application of defendant and 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 19, 2016.

**S015008****PEOPLE v. SCHMECK  
(MARK LINDSEY)**

Counsel appointment order filed

Good cause appearing, the application of appointed habeas corpus/executive clemency counsel for permission to withdraw as attorney of record for condemned inmate Mark Lindsey Schmeck, filed September 26, 2016, is granted.

The order appointing Lawrence A. Gibbs as habeas corpus/executive clemency counsel of record for condemned inmate Mark Lindsey Schmeck, filed February 19, 2003, is hereby vacated.

Upon request of condemned inmate Mark Lindsey Schmeck for appointment of counsel, Wesley A. Van Winkle and Brian M. Pomerantz are hereby appointed as lead and associate counsel of record, respectively, for Mark Lindsey Schmeck. Counsel are appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

**S029843****PEOPLE v. BECK (JAMES  
DAVID) & CRUZ (GERALD  
DEAN)**

Marsden motion denied

The “Notice and Declaration of Conflict of Interest and Ineffective Assistance of Counsel,” submitted to the court by appellant in propria persona and received on July 28, 2016, is construed as a motion for substitution of counsel pursuant to *People v. Marsden* (1970) 2 Cal.3d 118. The Clerk is directed to file the motion. The motion is denied.

**S169689****PEOPLE v. EVANS (STEVE  
CARL)**

Counsel appointment order filed

On the court’s own motion, the order appointing William J. Kopeny, now deceased, as appellate counsel of record for appellant Steve Carl Evans, filed March 13, 2013, is hereby vacated. Upon request of appellant for appointment of counsel, Cliff Gardner is hereby appointed to represent appellant Steve Carl Evans for the direct appeal in the above automatic appeal now pending in this court.

**S127119****PEOPLE v. GIVENS (TODD)**

Record ordered unsealed

Respondent’s “Motion to Unseal Reporter’s Transcript Volume 30-A,” filed on September 9, 2016, is granted. The Clerk is directed to unseal, make part of the public record, and provide to Respondent a copy of the Sealed Reporter’s Transcript, Volume 30-A, pages 461-474.

**S195127****BEAMES (JOHN MICHAEL)  
ON H.C.**

Motion to unseal record denied

Petitioner’s “Unopposed Motion to Unseal Confidential 987 Transcript,” filed on August 30, 2016, is denied without prejudice because this court’s record in petitioner’s appeal (*People v. Beames*, S050455) does not include any sealed transcript comprised of Penal Code section 987.9 materials.

**S236164**

H041615 Sixth Appellate District

**PEOPLE v. SOTO (JUAQUIN  
GARCIA)**

Order filed

For purposes of briefing and oral argument, defendant and appellant Juakin Garcia Soto is deemed petitioner to this court.



**S237125****ACCUSATION OF  
CELESTINE**

Petition denied (accusation)

**S237255****ACCUSATION OF TRAN**

Petition denied (accusation)

**S187650****COLLINS ON DISCIPLINE**

Probation revoked

The court orders that the probation of MANSFIELD COLLINS, State Bar Number 104049, is revoked. The court further orders that:

1. MANSFIELD COLLINS is suspended from the practice of law for one year.
2. MANSFIELD COLLINS is given credit towards the one-year suspension for the period of involuntary inactive enrollment which commenced on August 12, 2016.

MANSFIELD COLLINS 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.

**S228801****DICKSTEIN ON DISCIPLINE**

Probation revoked

The court orders that the probation of JEFFREY ALAN DICKSTEIN, State Bar Number 70638, is revoked. The court further orders that:

1. JEFFREY ALAN DICKSTEIN is suspended from the practice of law for a minimum of one year, 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. JEFFREY ALAN DICKSTEIN is given credit towards the one-year suspension for the period of involuntary inactive enrollment which commenced on July 29, 2016.

JEFFREY ALAN DICKSTEIN 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.

**S229719****MOR ON DISCIPLINE**

Probation revoked

The court orders that the probation of RONNY MOR, State Bar Number 248274, is revoked. The court further orders that RONNY MOR is suspended from the practice of law for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. RONNY MOR is suspended from the practice of law for a minimum of the first year of his probation (with credit given for the period of involuntary inactive enrollment which commenced on August 7, 2016, and he will remain suspended until the following conditions are satisfied:
  - i. He makes restitution to Jon Mayer in the amount of \$4,250 plus 10 percent interest per year from March 28, 2014 (or reimburses the Client Security Fund, to the extent of any payment from the Fund to Jon Mayer, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and present learning and ability in the general law before the suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. RONNY MOR must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on August 4, 2016.
3. At the expiration of the period of probation, if RONNY MOR has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

RONNY MOR 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.

**S236413****WOO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CORECIA JOY WOO, State Bar Number 214544, is disbarred from the practice of law in California and that her name is stricken from the roll of attorneys.

CORECIA JOY WOO 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.

**S236415****SIPPEL ON DISCIPLINE**

Recommended discipline imposed

The court orders that ERIC MARTIN SIPPEL, State Bar Number 152876, 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. ERIC MARTIN SIPPEL 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 10, 2016; and
2. At the expiration of the period of probation, if ERIC MARTIN SIPPEL has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

ERIC MARTIN SIPPEL 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.

**S236416****STERNBERG ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that GERALD HOWARD STERNBERG, State Bar Number 96110, 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. GERALD HOWARD STERNBERG 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 17, 2016; and
2. At the expiration of the period of probation, if GERALD HOWARD STERNBERG has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

GERALD HOWARD STERNBERG 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 third of the costs must be paid with his membership fees for each of the years 2018, 2019, and 2020. If GERALD HOWARD STERNBERG 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.

**S236417****SCHNEIDER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID SAMUEL SCHNEIDER, State Bar Number 131578, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. DAVID SAMUEL SCHNEIDER 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.

**S236446****BEECHER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STEPHEN HOWARD BEECHER, State Bar Number 137509, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. STEPHEN HOWARD BEECHER 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.

**S236449****BRAUN ON DISCIPLINE**

Recommended discipline imposed

The court orders that DENNIS EARL BRAUN, State Bar Number 152816, 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 two years subject to the following conditions:

1. DENNIS EARL BRAUN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 25, 2016; and
2. At the expiration of the period of probation, if DENNIS EARL BRAUN has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DENNIS EARL BRAUN 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.

**S236451****GREENBERG ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that MARK DAVID GREENBERG, State Bar Number 99726, 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. MARK DAVID GREENBERG must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 10, 2016 and the Modification Order filed on June 3, 2016; and
2. At the expiration of the period of probation, if MARK DAVID GREENBERG has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARK DAVID GREENBERG 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.

**S236696****COHEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM ROBERT COHEN, State Bar Number 203175, 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 two years subject to the following conditions:

1. WILLIAM ROBERT COHEN is suspended from the practice of law for a minimum of the first 30 days of probation, and he will remain suspended until the following conditions are satisfied:
  - i. He presents proof to the State Bar's Office of Probation in Los Angeles of his passage of the Multistate Professional Responsibility Examination administered by the National Conference of Bar Examiners; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. WILLIAM ROBERT COHEN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 2, 2016.
3. At the expiration of the period of probation, if WILLIAM ROBERT COHEN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

If WILLIAM ROBERT COHEN remains suspended for 90 days or more, he 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 120 and 130 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.

**S236698****BOLSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that JEFFREY THOMAS BOLSON, State Bar Number 99139, 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. JEFFREY THOMAS BOLSON is suspended from the practice of law for the first 30 days of probation;
2. Jeffrey Thomas Bolson must 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 23, 2016; and
3. At the expiration of the period of probation, if Jeffrey Thomas Bolson has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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.

**S236706****ESTES ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PETER ROBIN ESTES, State Bar Number 168867, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PETER ROBIN ESTES 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.

**S236718****PINA ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL ARTHUR PINA, State Bar Number 157116, 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. MICHAEL ARTHUR PINA 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 20, 2016; and

2. At the expiration of the period of probation, if MICHAEL ARTHUR PINA has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL ARTHUR PINA 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-third of the costs must be paid with his membership fees for each of the years 2017, 2018, and 2019. If MICHAEL ARTHUR PINA 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.

**S236822****HUDAK ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM JOSEPH HUDAK, State Bar Number 75290, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

WILLIAM JOSEPH HUDAK 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.

**S236823****GRISWOLD ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES EDWARD GRISWOLD, State Bar Number 207294, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES EDWARD GRISWOLD 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.

**S236838****SALVADOR ON DISCIPLINE**

Recommended discipline imposed

The court orders that HEATHER MICHELLE SALVADOR, State Bar Number 249150, is

suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. HEATHER MICHELLE SALVADOR must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 17, 2016; and
2. At the expiration of the period of probation, if HEATHER MICHELLE SALVADOR has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

HEATHER MICHELLE SALVADOR 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.

**S236839****MACALUSO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that TODD EDWARD MACALUSO, State Bar Number 133009, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

TODD EDWARD MACALUSO 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.

**S236842****TODD ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that FREDRICK JACOB TODD, State Bar Number 86607, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

FREDRICK JACOB TODD 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.