

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 24, 2018
SAN FRANCISCO, CALIFORNIA
AMENDED***

S137730**PEOPLE v. POWELL (TROY
LINCOLN)**

The petition for rehearing is denied.
Corrigan, J., was absent and did not participate.

S249859**PLANNING &
CONSERVATION LEAGUE v.
PADILLA (ALEX)/(DRAPER)**

Rehearing denied

S250718

C082670 Third Appellate District

**PEOPLE v. GARLAND (CODY
KEITH)**

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. Jimenez*, S249397 (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.
Corrigan, J., was absent and did not participate.
Votes: Cantil-Sakauye, C. J., Chin, Liu, Cuéllar, and Kruger, JJ.

S250802

A144440 First Appellate District, Div. 3

**LITTLEJOHN (LARRY) v.
COSTCO WHOLESALE
CORPORATION**

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 *McClain v. Sav-On Drugs*, S241471 (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.
Corrigan, J., was absent and did not participate.
Votes: Cantil-Sakauye, C. J., Chin, Liu, Cuéllar, and Kruger, JJ.

S250870 E066674 Fourth Appellate District, Div. 2**PEOPLE v. KOBACK (BRIAN KEITH)**

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 *In re B.M.*, S242153 (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.

Corrigan, J., was absent and did not participate.

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

S251312 D072801 Fourth Appellate District, Div. 1**PEOPLE v. BIRD
(CHRISTOPHER RICHARD)**

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 *In re Ricardo P.*, S230923, and *People v. Trujillo*, S244650 (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.

Corrigan, J., was absent and did not participate.

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

S251373 H044418/H043421 Sixth Appellate District**PEOPLE v. RENSHAW (KIRK JAMES)**

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 *People v. Arredondo*, S233582 (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.

Corrigan, J., was absent and did not participate.

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

S251501 H044418 Sixth Appellate District**PEOPLE v. RENSHAW (KIRK JAMES)**

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 *People v. Arredondo*, S233582 (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.

Corrigan, J., was absent and did not participate.

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

S250476 C074919 Third Appellate District **PEOPLE v. THURMAN
(KENNETH LLOYD)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District

The request for consideration of an additional issue in the petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S250664 B282836 Second Appellate District, Div. 1 **PEOPLE v. MOORE
(CHARLES E.)**

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

The request for consideration of an additional issue in the petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal Second Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of S.B. 1393, chapter 1013, amending Penal Code section 667, subdivision (a). (Cal. Rules of Court, rule 8.528(d)).

Corrigan, J., was absent and did not participate.

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

S250686 F073937 Fifth Appellate District **PEOPLE v. AUSTIN (STEVEN
OSCAR BLACKWELL)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The request for consideration of an additional issue in the petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S251006 C087769 Third Appellate District**PHIPPS (ROSLYN) v. S.C.
(PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District, with directions to issue an alternative writ

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

All further proceedings in *People v. Roslyn Phipps*, Sacramento County Superior Court No. 17FE010185, are hereby stayed pending further order of the Court of Appeal.

Corrigan, J., was absent and did not participate.

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

S251055 B282676 Second Appellate District, Div. 2 **PEOPLE v. VELA (MANUEL)**

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

The request for consideration of an additional issue in the petition for review is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S251123 B257675 Second Appellate District, Div. 3 **PEOPLE v. HARRIS
(ALONZO)**

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

The request for consideration of an additional issue in the petition for review is granted. 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 Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S251141 C084624 Third Appellate District**PEOPLE v. AUSTIN (DENNIS
EXZAVAR)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District

The request for consideration of an additional issue in the petition for review is granted. The

petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S251331 D072682 Fourth Appellate District, Div. 1 **PEOPLE v. MERCK
(RUSSELL JOSEPH)**

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

The request for leave to supplement the petition for review to include an additional issue is granted. The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 1393 (Stats. 2018, Ch. 1013). (Cal. Rules of Court, rule 8.528(d).)

Corrigan, J., was absent and did not participate.

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

S229046 C078169 Third Appellate District **PEOPLE v. PEREZ (JESSE
DAVID)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S229305 C078257 Third Appellate District **PEOPLE v. EANDI
(COLETTE JEAN)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S229552 D064736 Fourth Appellate District, Div. 1 **PEOPLE v. GREWELL
(WILLIAM HENRY)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division One

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. DeHoyos* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

The motion for judicial notice filed on September 28, 2015, is granted.

Corrigan, J., was absent and did not participate.

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

S233596 C078270 Third Appellate District **PEOPLE v. FERGUSON**
(TIMOTHY LEROY)

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S233933 C078578 Third Appellate District **PEOPLE v. STRICKLAND**
(EMILE LONNELL)

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S235233 C078737 Third Appellate District **PEOPLE v. PARKS (GRANT)**
Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S235611 C079264 Third Appellate District **PEOPLE v. JUERGENS**
(JUSTIN PAUL)

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S235651 D068318 Fourth Appellate District, Div. 1 **PEOPLE v. DODSON**
(ARMON)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division One

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S236490 E064030 Fourth Appellate District, Div. 2 **PEOPLE v. HAMILTON III**
(ROBERT THOMAS)

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

Review in the above-captioned matter, which was granted and held for *People v. Gonzales* (2017) 2 Cal.5th 858, and *People v. Buycks* (2018) 5 Cal.5th 857, is hereby dismissed. (Rule 8.528(b)(1).)

Corrigan, J., was absent and did not participate.

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

S238539 B271266 Second Appellate District, Div. 6 **PEOPLE v. SULITSWALLEY**
(DYLAN ABELARDO)

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

Review in the above-captioned matter, which was granted and held for *People v. Buycks* (2018) 5 Cal.5th 857, is hereby dismissed. (Rule 8.528(b)(1).)

Corrigan, J., was absent and did not participate.

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

S238804 C079717 Third Appellate District **PEOPLE v. ENQUIST**
(DUANE LEE)

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S239223 B264873 Second Appellate District, Div. 4 **PEOPLE v. GARCIA**
(JENNIFER)

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

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S244600 F072186 Fifth Appellate District

**PEOPLE v. HOLTZCLAW
(BILLY JOE)**

Dismissed and remanded to Court of Appeal, Fifth Appellate District

Review in the above-captioned matter is dismissed in light of this court's decision in *People v. Buycks* (2018) 4 Cal.5th 594. (Cal. Rules of Court, rule 8.528(b).)

Corrigan, J., was absent and did not participate.

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

S151264

MIRANDA (ADAM) ON H.C.

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus, filed on March 26, 2007, is denied.

All claims are denied on the merits.

Corrigan, J., was absent and did not participate.

S250315 G054825 Fourth Appellate District, Div. 3

**TRIPPLETT (LARRY C.) v.
WORKERS'
COMPENSATION APPEALS
BOARD, INDIANAPOLIS
COLTS**

Petition for review denied

Corrigan, J., was absent and did not participate.

S250414 B282506 Second Appellate District, Div. 8

**PEOPLE v. BINNS
(LEONARTH)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S250461 A150217 First Appellate District, Div. 2

**PEOPLE v. RENNER
(CHRISTOPHER J.)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S250466 A152373 First Appellate District, Div. 2

Petition for review denied
Corrigan, J., was absent and did not participate.

**RENNER (CHRISTOPHER J.)
ON H.C.**

S250471 F069966 Fifth Appellate District

Petitions for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. JACKSON
(KENNETH ALLEN)**

S250604 E070821 Fourth Appellate District, Div. 2

The Attorney General's motion for judicial notice is granted.
Petition for review denied
Corrigan, J., was absent and did not participate.

**DODSON (RYAN LEE) ON
H.C.**

S250629 F071935 Fifth Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. ESTRADA
(MICHAEL)**

S250639 B279468 Second Appellate District, Div. 4

Petition for review & publication request(s) denied
Corrigan, J., was absent and did not participate.

**CASE (JANET) v. AMERICAN
HONDA MOTOR CO., INC.**

S250640 C075423 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. SMITH (IVAN
ANDREW)**

S250657 B281095 Second Appellate District, Div. 6

Petition for review denied
Corrigan, J., was absent and did not participate.

IN RE A.R.

S250658 C082992 Third Appellate District

Petition for review denied
Liu, J., is of the opinion the petition should be granted.
Corrigan, J., was absent and did not participate.

PEOPLE v. MINCHAK (ERIC MARTIN)

S250676 C083256 Third Appellate District

Petitions for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. YABES (ANGELO)

S250698 D073713 Fourth Appellate District, Div. 1

Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. JOHNSON (MICHAEL BRYSON RASHAD)

S250704 A147011 First Appellate District, Div. 4

Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. KING (SHERARD M.)

S250712 D072610 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied
Corrigan, J., was absent and did not participate.

PEOPLE v. TORRES (ANTONIO)

S250720 E065612 Fourth Appellate District, Div. 2

Petition for review denied
Corrigan, J., was absent and did not participate.

IN RE R.K.

S250723 G052619 Fourth Appellate District, Div. 3

Petitions for review denied
Corrigan, J., was absent and did not participate.

COLACO (MICHAEL) v. CAVOTEC SA

S250778 B288954 Second Appellate District, Div. 5

Petition for review & publication request(s) denied
Corrigan, J., was absent and did not participate.

**REDSTONE (SHARI) v. S.C.
(HERZER)**

S250798 C081883 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. UY (RATTANY)

S250807 H044385 Sixth Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. CAMACHO
(ROMAN ROSAS)**

S250812

Petition for writ of mandate/prohibition denied
Corrigan, J., was absent and did not participate.

**ROGERS (KENNETH) v.
STATE BAR OF
CALIFORNIA (MASUDA)**

S250815 G056640 Fourth Appellate District, Div. 3

Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. S.C. (S.G.)

S250821 B280087 Second Appellate District, Div. 3

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. ESPINOZA
(JAIME ALBERTO)**

S250822 B278727 Second Appellate District, Div. 3

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. MILLENDER
(DAVID LEE)**

S250835 B291680/B289217 Second Appellate District, Div. 1 **DENT (BRIAN KEITH) v. S.C.
(PEOPLE)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S250836 A147924 First Appellate District, Div. 2

Petition for review denied

Corrigan, J., was absent and did not participate.

**PEOPLE v. McGILBERRY,
JR., (DONNELL)**

S250882 A151087 First Appellate District, Div. 3

Petition for review denied

Corrigan, J., was absent and did not participate.

**PEOPLE v. BORGES-FLORES
(MICHAEL ALEXIS)**

S250903 B280740 Second Appellate District, Div. 5

Petition for review denied

Corrigan, J., was absent and did not participate.

**ORTIZ (LEONARDO) v. CITY
OF LOS ANGELES**

S250911 B280767 Second Appellate District, Div. 5

Petition for review denied

Corrigan, J., was absent and did not participate.

**AYALA (MICHAEL) v. CITY
OF LOS ANGELES**

S250919 G056701 Fourth Appellate District, Div. 3

Petition for review denied

Corrigan, J., was absent and did not participate.

PEOPLE v. S.C. (T.T.)

S250933 B283772 Second Appellate District, Div. 6

Petition for review denied

Corrigan, J., was absent and did not participate.

**STARNA (ERIC E.) v. CITY
OF PORT HUENEME**

S250954 F076915 Fifth Appellate District

Petition for review denied

Corrigan, J., was absent and did not participate.

**LESTOURGEON (BOBBY)
ON H.C.**

S250960 A151601 First Appellate District, Div. 2
Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. TURNER (JESSIE)

S251011 B283175 Second Appellate District, Div. 3

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. LEFFLER (CODY
WILLIAM)**

S251016

Petition for writ of mandate/prohibition denied
Corrigan, J., was absent and did not participate.

**CARRANZA (JUAN OCHOA)
v. S.C. (PEOPLE)**

S251036 B268326/B270104/B272066
Second Appellate District, Div. 3

The petition for review is denied.
The request for an order directing partial publication of the opinion is denied.
Corrigan, J., was absent and did not participate.

**BLECH (RAYMOND) v.
BLECH (RICHARD);
COMERICA BANK**

S251044 A149710 First Appellate District, Div. 5

Petition for review denied
Corrigan, J., was absent and did not participate.

**PARKSMART, INC. v.
DEPARTMENT OF MOTOR
VEHICLES (WOODWARD)**

S251167 B289236 Second Appellate District, Div. 5
Petition for review denied
Corrigan, J., was absent and did not participate.

IN RE A.T.

S251170 C077513 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**ESTILL (RENEE) v. COUNTY
OF SHASTA**

S251222 F074530 Fifth Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. PULIDO
(OSVALDO)**

S251232

Petition for review denied
Corrigan, J., was absent and did not participate.

**DOLZHENKO (ZINA) v.
JAVAHERIFAR (MANSOUR)**

S251241 A152384 First Appellate District, Div. 5

Petition for review denied
Corrigan, J., was absent and did not participate.

**WATSON (ALBERT L.) v.
CITY & COUNTY OF SAN
FRANCISCO**

S251265 A152004 First Appellate District, Div. 2

Petition for review denied
Corrigan, J., was absent and did not participate.

**JOHNSON (MICHAEL) v.
COUNTY OF MENDOCINO**

S251281 C084819 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**PEOPLE v. OROPEZA
(MARIO LUIS)**

S251283 C082786 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

**DAUS (ANDY) v. HOWSER
(BRIAN)**

S251288 C084793 Third Appellate District

Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. KEYS (ZED LEVI)

S251293 B284795 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. KATRAKAZOS
(JOHNNY ALBERTO)**

Corrigan, J., was absent and did not participate.

S251295 B284881 Second Appellate District, Div. 2

PEOPLE v. SANCHEZ (JOSE DeJESUS)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251296 D074035 Fourth Appellate District, Div. 1

PEOPLE v. COVARRUBIAS (JOSE LUIS)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251297 B283608 Second Appellate District, Div. 6

PEOPLE v. PEYTON (LEE EDWARD)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251300 D072817 Fourth Appellate District, Div. 1

PEOPLE v. VEGA (PAZ POORE)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251308 D072797 Fourth Appellate District, Div. 1

IN RE JA.K.

Petition for review denied

Corrigan, J., was absent and did not participate.

S251315 D073355 Fourth Appellate District, Div. 1

PEOPLE v. SANCHEZ (PEGGY)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251320 B282474 Second Appellate District, Div. 5

PEOPLE v. DUARTE (HECTOR)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251323 D071537/D072039 Fourth Appellate District, Div. 1 **PEOPLE v. WARD (JASON)**
Petition for review denied
Corrigan, J., was absent and did not participate.

S251325 H044482 Sixth Appellate District **IN RE M.L.**
Petition for review denied
Corrigan, J., was absent and did not participate.

S251330 C083224 Third Appellate District **PEOPLE v. YANG (JOHN)**
Petition for review denied
Corrigan, J., was absent and did not participate.

S251332 **PEOPLE v. PANIGHETTI**
(WESLEY CARL)
Petition for writ of error *coram nobis* denied
Corrigan, J., was absent and did not participate.

S251334 B292438 Second Appellate District, Div. 4 **BECERRA (RAFAEL) v. S.C.**
(PEOPLE)
Petition for review & application for stay denied
Corrigan, J., was absent and did not participate.

S251336 B281819 Second Appellate District, Div. 5 **MILLER (MICHAEL**
ANTHONY) v. COURT OF
APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION FIVE (PEOPLE)
Petition for writ of mandate/prohibition denied
The request to take judicial notice is granted.
Corrigan, J., was absent and did not participate.

S251351 B276523 Second Appellate District, Div. 3 **PEOPLE v. DIAZ**
(GUILLERMO)
Petition for review denied
Corrigan, J., was absent and did not participate.

S251353 B281279 Second Appellate District, Div. 8

**PEOPLE v. JEFFERSON
(KEVIN BERNARD)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251355 D073510 Fourth Appellate District, Div. 1

IN RE MICHAEL S.

Petition for review denied

Corrigan, J., was absent and did not participate.

S251360 B292372 Second Appellate District, Div. 3

**BANKS (CORTE DEON) ON
H.C.**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251372 B279802 Second Appellate District, Div. 7

PEOPLE v. BOND (DONTAE)

Petition for review denied

Corrigan, J., was absent and did not participate.

S251377 B284699 Second Appellate District, Div. 3

**PEOPLE v. ARTEAGA
(CARLOS)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251393 B292370 Second Appellate District, Div. 2

**PATTERSON (VESTER L.)
ON H.C.**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251410 B285316 Second Appellate District, Div. 6

**PEOPLE v. PORCHO
(ARMANDO ROBERT)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251414 F075364 Fifth Appellate District

**PEOPLE v. HERRERA
(RICARDO)**

Petition for review denied

Corrigan, J., was absent and did not participate.

S251418 F077522 Fifth Appellate District
Petition for review denied
Corrigan, J., was absent and did not participate.

IN RE B.S.

S251426 B282544 Second Appellate District, Div. 8
Petition for review denied
Corrigan, J., was absent and did not participate.

PEOPLE v. ARANA (RENE)

S251433 A149896 First Appellate District, Div. 5

**CENTER FOR BIOLOGICAL
DIVERSITY v. CALIFORNIA
DEPARTMENT OF
CONSERVATION, DIVISION
OF OIL, GAS, &
GEOTHERMAL
RESOURCES; AERA
ENERGY LLC**

Petition for review denied
Corrigan, J., was recused and did not participate.

S248207

**MARCHANT (DAVID) ON
H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249080

SANDERS (RICKY) ON H.C.

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249082

HINES (LARRY) ON H.C.

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249085

**ENNIS (JOSEPH
LAFAYETTE) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249088**WALLACE (MARQUICE
DUPREE) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249225**CHERVENY (MICHAEL
LAWRENCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)
Corrigan, J., was absent and did not participate.

S249227**MAYS (CURTIS LEE) ON
H.C.**

The petition for writ of habeas corpus is denied on the merits. (See *Harrington v. Richter* (2011) 562 U.S. 86, 99-100, citing *Ylst v. Nunnemaker* (1991) 501 U.S. 797, 803.)
Corrigan, J., was absent and did not participate.

S249305**TAYLOR (TREVOR M.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)
Corrigan, J., was absent and did not participate.

S249306**OLIVEIRA (FERNANDO) ON
H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249317**CRUMP (STEVE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)
Corrigan, J., was absent and did not participate.

S249318**DAVIS (FRED LEE) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249324**WILSON (STEPHEN L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)
Corrigan, J., was absent and did not participate.

S249327**BRANSON (JAMES WILSON)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)
Corrigan, J., was absent and did not participate.

S249335**FOSTER (DERRYL TYRONE)
ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249392**ODEN (WILBERT J.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)
Corrigan, J., was absent and did not participate.

S249500**BROWN (KENNY) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249556**SERRATO (MICHAEL
ANGELO) ON H.C.**

Petition for writ of habeas corpus denied

Corrigan, J., was absent and did not participate.

S249574

**LOYER (CLIFFORD CHAUN)
ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249666

**DRAWN IV (ROBERT) ON
H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249689

**McEACHERN (KEVIN) ON
H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249692

UY (SOPHIE) ON H.C.

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249698

**KLINEFELTER (JEFFREY
SCOTT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)
Corrigan, J., was absent and did not participate.

S249699

**ATKINSON (JOSEPH
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249704**ATKINS, JR., (RICHARD LEE) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249709**TAPELLA (DOUGLAS JAY) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249710**FISHER (JAMES H.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)
Corrigan, J., was absent and did not participate.

S249711**TORRES (LUIS) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249712**DELGADILLO (JOSUE J.) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249714**CISNEROS (STEVEN) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249729**CERDA (VICTOR MANUEL) ON H.C.**

Petition for writ of habeas corpus denied
Corrigan, J., was absent and did not participate.

S249731**FILES (BERNARD) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474

[a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

Corrigan, J., was absent and did not participate.

S249745

**CHERVENY (MICHAEL
LAWRENCE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

Corrigan, J., was absent and did not participate.

S249749

**JACKSON (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

Corrigan, J., was absent and did not participate.

S249751

SHAW (KAREEM H.) ON H.C.

Petition for writ of habeas corpus denied

Corrigan, J., was absent and did not participate.

S250446

PICENO (PATRICK) ON H.C.

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

Corrigan, J., was absent and did not participate.

S251219

**NGUON (HUNG DUONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies].)

Corrigan, J., was absent and did not participate.

S251395**CARTEE (TREVOR DANIEL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

Corrigan, J., was absent and did not participate.

S251607**DANNEWITZ, JR., (ALLEN)
ON H.C.**

Petition for writ of habeas corpus denied

Corrigan, J., was absent and did not participate.

S250506

B286010 Second Appellate District, Div. 7

**DUGAN (MARIE) v. TUCKER
(FLORENCE)**

Publication request denied (case closed)

Corrigan, J., was absent and did not participate.

S250828

G056264 Fourth Appellate District, Div. 3

**O. (MARK) v. S.C. (ORANGE
COUNTY SOCIAL SERVICES
AGENCY)**

Publication request denied (case closed)

Corrigan, J., was absent and did not participate.

S250946

G049674 Fourth Appellate District, Div. 3

**MELVIN (LAWRENCE) v.
HARKEY (DAN J.)**

Publication request denied (case closed)

Corrigan, J., was absent and did not participate.

S251051

B280445 Second Appellate District, Div. 2

**PALMA (MARTHA) v. RITE
AID CORPORATION**

Publication requests denied (case closed)

Corrigan, J., was absent and did not participate.

S250888

B263449 Second Appellate District, Div. 1

**PEOPLE v. SENDEJAS
(ARTHUR)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 26, 2018.

S250932 F072319 Fifth Appellate District

**PEOPLE v. ROGERS
(SPENCER EARL)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 26, 2018.

S251018 A146344 First Appellate District, Div. 3

**PEOPLE v. JOHNSON (AL-
MON)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 29, 2018.

S055501

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

Counsel appointment order filed

The following order is effective December 3, 2018:

On the court's own motion, the order appointing Shelley K. Mack as habeas corpus/executive clemency counsel of record for condemned inmate Raymond Oscar Butler in case No. S055501, filed June 10, 2010, is hereby vacated.

Attorney John N. Aquilina is hereby appointed as habeas corpus/executive clemency counsel of record for condemned inmate Raymond Oscar Butler. Counsel is appointed for all further capital state postconviction proceedings related to *People v. Butler* (2009) 46 Cal.4th 847 (S055501), all matters related to the postconviction capital habeas corpus proceedings now pending in Los Angeles County Superior Court (see *In re Raymond Oscar Butler*, S178123), and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

Mack is hereby directed to deliver to Attorney John N. Aquilina, within 30 days from the filing of this order, all case transcripts, case files, habeas corpus work product, trial files, investigation reports, 60-day confidential status reports, and related materials that Mack has produced or obtained from condemned inmate Raymond Oscar Butler or his trial counsel, paralegals, experts and investigators, or from any other source.

This court retains jurisdiction over all matters concerning the appointment of counsel for petitioner and the payment of appointed counsel's fees and expenses. The following practices will apply to requests that this court (a) pay attorney fees for counsel appointed by this court or (b) reimburse necessary and reasonable expenses related to the habeas corpus proceeding. Such requests will be governed by the Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in the California Supreme Court, Guidelines II, subpart I, and III. Counsel must first obtain the superior court's recommendation for payment. However, the superior court's recommendation is not binding on the Supreme Court, which will exercise independent review of the request.

Corrigan, J., was absent and did not participate.

S178123**BUTLER (RAYMOND
OSCAR) ON H.C.**

Counsel appointment order filed

The following order is effective December 3, 2018:

On the court's own motion, the order appointing Shelley K. Mack as habeas corpus/executive clemency counsel of record for condemned inmate Raymond Oscar Butler in case No. S055501, filed June 10, 2010, is hereby vacated.

Attorney John N. Aquilina is hereby appointed as habeas corpus/executive clemency counsel of record for condemned inmate Raymond Oscar Butler. Counsel is appointed for all further capital state postconviction proceedings related to *People v. Butler* (2009) 46 Cal.4th 847 (S055501), all matters related to the postconviction capital habeas corpus proceedings now pending in Los Angeles County Superior Court (see *In re Raymond Oscar Butler*, S178123), and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

Mack is hereby directed to deliver to Attorney John N. Aquilina, within 30 days from the filing of this order, all case transcripts, case files, habeas corpus work product, trial files, investigation reports, 60-day confidential status reports, and related materials that Mack has produced or obtained from condemned inmate Raymond Oscar Butler or his trial counsel, paralegals, experts and investigators, or from any other source.

This court retains jurisdiction over all matters concerning the appointment of counsel for petitioner and the payment of appointed counsel's fees and expenses. The following practices will apply to requests that this court (a) pay attorney fees for counsel appointed by this court or (b) reimburse necessary and reasonable expenses related to the habeas corpus proceeding. Such requests will be governed by the Payment Guidelines for Appointed Counsel Representing Indigent Criminal Appellants in the California Supreme Court, Guidelines II, subpart I, and III. Counsel must first obtain the superior court's recommendation for payment. However, the superior court's recommendation is not binding on the Supreme Court, which will exercise independent review of the request.

Corrigan, J., was absent and did not participate.

S179826**PEOPLE v. CAIN (ANTHONY
DEONDREA)**

Record augmentation granted

Appellant's "Motion to Augment the Record on Appeal," filed on July 2, 2018, is granted in part as follows: The Clerk of the Court is directed to augment the record with the exhibits attached to the motion. (Cal. Rules of Court, rule 8.155(a)(2).)

On the court's own motion, the superior court is ordered to transmit the following audiotapes to this court: Exhibits 1b, 3b, 4b, 4c, 5b, 5c, and 9b, entered into evidence on March 1, 2006, and Exhibits 59, 67, 68, and 77, entered into evidence at trial. (Cal. Rules of Court, rules 8.610(a)(3), 8.634(a), & 8.224(d).)

Corrigan, J., was absent and did not participate.

S229645**CUNNINGHAM (JOHN LEE)
ON H.C.**

Motion for access to sealed record granted

The “Application for an Order Allowing Counsel to Inspect and Copy Sealed and Confidential Documents in the Record on Appeal,” filed on August 16, 2018, is granted. Counsel for petitioner is granted access to the materials in the record of *People v. Cunningham*, S051342, including all of the sealed and confidential materials, except the Clerk’s Transcript “Non-Redacted Jury Questioners [sic].” Counsel must supply the personnel and equipment necessary to undertake the review and copying of the records, which must occur on the court’s premises. Counsel must not release or cause to be released any of the sealed or confidential material or any of the information contained therein to anyone other than counsel’s agents without a prior order of this court.

Corrigan, J., was absent and did not participate.

S230782**PETERSON (SCOTT) ON H.C.**

Motion to file document under seal granted

Petitioner’s “Application for Leave to File Sealed Documents in Support of Reply to the Informal Response to the Petition for Writ of Habeas Corpus,” filed on August 7, 2018, is granted. The court makes the findings required by rule 8.46(d)(6) of the California Rules of Court. The Clerk is directed to publicly file “Volume 5 (Exhibits 50-52); Public - Redacts Material from Conditionally Sealed Record (Exhibits 50 and 51),” received on August 7, 2018. The Clerk is further directed to file under seal “Volume 5 (Exhibits 50 and 51, Not Redacted),” lodged conditionally under seal on August 7, 2018.

Corrigan, J., was absent and did not participate.

S246827**ATLAS, JR., (JOHN) ON H.C.**

Motion to file document under seal granted

Petitioner’s “Application to File Under Seal; Memorandum of Points; Declaration,” filed on January 31, 2018, is granted in part, denied in part, and denied in part without prejudice.

The application to file Exhibit 3 (in Volume 2) under seal is granted in part and denied in part without prejudice. (Cal. Rules of Court, rule 8.46(b).)

The application to file under seal Exhibits 5, 6, 7, 8, 9, 10, 11, 12, and 13 is denied. (Cal. Rules of Court, rules 2.550, 2.551, and 8.46.)

The “Petition for Writ of Habeas Corpus,” filed on January 31, 2018, contains references to Exhibit 3. Petitioner has not filed redacted and unredacted versions of the petition. (Cal. Rules of Court, rule 8.46 (d)(4).) Volume 2 of the “Exhibits In Support of the Petition for Writ of Habeas Corpus,” lodged conditionally under seal on January 31, 2018, includes exhibits 5-13 as to which the application to seal has been denied, as well as Exhibit 3 as to which the application to seal has been granted. The “Petition for Writ of Habeas Corpus” and the “Reply to the Informal

Response,” filed on May 24, 2018, contain erroneous citations, inter alia, to “Exhibits F, G, H, I, J, K, L, M, and N” that do not correctly reference the numbered exhibits petitioner lodged in Volumes 1 and 2.

The Clerk is therefore directed to return to petitioner’s counsel the “Petition for Writ of Habeas Corpus,” Volumes 1 and 2 of the “Exhibits in Support of Petition for Writ of Habeas Corpus,” and the “Reply to the Informal Response.” Within 10 days of this order, and consistent with this order, petitioner must file: (a) a renewed application to file an unredacted petition for writ of habeas corpus and Exhibit 3 under seal; (b) unredacted and redacted versions of the petition for writ of habeas corpus; (c) revised public and non-public volumes of the exhibits; and (d) corrected versions of the petition and the reply to the informal response that consistently cite all exhibits by number rather than letter.

If petitioner does not want exhibits as to which the Court has denied the application to seal to be publicly filed, he should remove those exhibits, and references to those exhibits from the petition and the reply, when he files his renewed motion to seal. (See Cal. Rules of Court, rule 8.46(d)(7).)

If the Court grants the renewed motion to seal, the petition for writ of habeas corpus and exhibits will be filed nunc pro tunc to January 31, 2018, and the reply will be filed nunc pro tunc to May 24, 2018.

Corrigan, J., was absent and did not participate.

S251469 E068196 Fourth Appellate District, Div. 2 **PEOPLE v. DOSSEY (JAY RYLAND)**

Motion to file document under seal denied

Appellant’s “Motion to Substitute the Petition for Review Filed September 24, 2018, With a Petition for Review Filed Under Seal, along with a Public Redacted Version, and to Seal the Court of Appeal Record in *People v. Dossey*, E068196” is denied. (See Cal. Rules of Court, rule 2.550(d).)

Corrigan, J., was absent and did not participate.

S251471 E069469 Fourth Appellate District, Div. 2 **DOSSEY (JAY R.) ON H.C.**
Motion to file document under seal denied

Petitioner’s “Motion to File Petition for Review Under Seal, along with a Public Redacted Version” is denied. (See Cal. Rules of Court, rule 2.550(d).) The clerk is directed to return the petition to petitioner, who must notify the clerk within 10 days with respect to whether he wishes to file an unredacted petition. (Cal. Rules of Court, rules 8.46(d)(7), 8.47(c)(2)(D).)

Petitioner’s “Motion to Seal Court of Appeal Record in *In re Dossey*, E069469” is denied.

Petitioner’s “Motion for Judicial Notice” is granted.” (Evid. Code, § 452, subd. (d)(1).)

Corrigan, J., was absent and did not participate.

S250874**ACCUSATION OF ASCARIE**

Petition denied (accusation)
Corrigan, J., was absent and did not participate.

S251314**ACCUSATION OF SWAN, JR.**

Petition denied (accusation)
Corrigan, J., was absent and did not participate.

S249537**WEINER ON DISCIPLINE**

Petition for review denied; recommended discipline imposed
The petition for review is deemed timely as filed. The petition for review is denied.
The court orders that STEVEN LEWIS WEINER, State Bar Number 87553, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.
STEVEN LEWIS WEINER 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.
Corrigan, J., was absent and did not participate.

S251985**FELDMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WARREN STUART FELDMAN, State Bar Number 142093, as a member of the State Bar of California is accepted.

S251986**HOLCOMB ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WARREN LANIER HOLCOMB, State Bar Number 76804, as a member of the State Bar of California is accepted.

S251987**NICHOLS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL McEWING NICHOLS, State Bar

Number 104749, as a member of the State Bar of California is accepted.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SACRAMENTO SESSION
NOVEMBER 7, 2018
FIRST AMENDED**

The following cases are placed upon the calendar of the Supreme Court for oral argument at its courtroom in the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento, California, on November 7, 2018.

WEDNESDAY, NOVEMBER 7, 2018 — 10:00 A.M.

- (1) Rand Resources, LLC, et al. v. City of Carson et al., S235735
(*Ashmann-Gerst, J., assigned justice pro tempore*)
- (2) People v. Westerfield (David Alan), [Automatic Appeal], S112691
(*Slough, J., assigned justice pro tempore*)

1:30 P.M.

- (3) People v. Armstrong (Jamelle Edward), [Automatic Appeal], S126560
(*Perluss, P. J., assigned justice pro tempore*)
- (4) People v. Colbert (Mark Anthony), S238954
(*Tangeman, J., assigned justice pro tempore*)
- (5) People v. Potts (Thomas), [Automatic Appeal], S072161
(*Simons, J., assigned justice pro tempore*)

CANTIL-SAKAUYE

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

S250564

**HONG (VIET QUOC)
ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

S250666

**GUERRERO (ARTURO)
ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon

S250667

**JORDAN (KENNETH)
ON CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant a pardon