

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 11, 2019
SAN FRANCISCO, CALIFORNIA**

S106274**PEOPLE v. CARO (SOCORRO
SUSAN)**

Rehearing denied; opinion modified

ORDER MODIFYING OPINION AND DENYING PETITION FOR REHEARING**THE COURT:**

The opinion in this matter, which was filed June 13, 2019, appearing at 7 Cal.5th 463, is modified as follows:

1. The second sentence of the second full paragraph on page 475, beginning “Defense expert” is modified to read:
Defense expert Herbert MacDonell reviewed the forensic evidence.
2. The fifth sentence of the second full paragraph on page 475, beginning “MacDonnell found” is modified to read:
MacDonell found transfer stains on Xavier’s jacket, socks, and pants.
3. The eighth sentence of the third full paragraph spanning pages 477 and 478, beginning “He diagnosed” is modified to read:
She diagnosed Caro with chronic depression accompanied by mood congruent psychotic features, alcohol dependence, alcohol abuse, and a dependent personality.
4. The fourth and fifth sentences of the first full paragraph on page 504, beginning “Defense counsel asked” is modified to read:
Defense counsel asked if that was the first time Jones had examined the underwear, and he replied that he examined it “on a date earlier than that when other examiners were looking at [it],” those other examiners being “Richard Fox or Herb MacDonell. One of those two or both.”

These modifications do not affect the judgment.

The petition for rehearing is denied.

S256698 E069088 Fourth Appellate District, Div. 2 **PEOPLE v. GENTILE, JR.,
(JOSEPH)**

Petition for review granted; issues limited

The petition for review is granted. The issues to be briefed and argued are limited to the following: 1. Does the amendment to Penal Code section 188 by recently enacted Senate Bill No. 1437 eliminate second degree murder liability under the natural and probable consequences doctrine? 2. Does Senate Bill No. 1437 apply retroactively to cases not yet final on appeal? 3. Was it prejudicial error to instruct the jury in this case on natural and probable consequences as a theory of murder?

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed May 30, 2019, which appears at 35 Cal.App.5th 932. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuellar, Kruger, and Groban, JJ.

S256914 A155955 First Appellate District, Div. 3 **FRIEND (JACK WAYNE) ON
H.C.**

Petition for review granted; issues limited

The petition for review is granted. The parties are to brief and argue the following issues: (1) the *dismissal* of a condemned inmate's habeas corpus petition pursuant to Penal Code section 1509, subdivision (d) an appealable order and subject to the requirement of obtaining a certificate of appealability under Penal Code section 1509.1, subdivision (c), which applies to the "decision of the superior court *denying relief* on a successive petition" (*italics added*)?; (2) What is the meaning of the term "successive petition" in Penal Code section 1509, subdivision (d), and is the habeas corpus petition at issue a successive petition?; (3) If the habeas corpus petition at issue is a successive petition within the meaning of the statute, can the statutory provisions governing such petitions be applied to this petition when petitioner's first habeas corpus petition was filed before the statutes took effect (see, e.g., *Landgraf v. USI Film Products* (1994) 511 U.S. 244, 269-270)?

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

S256927 **IXCHEL PHARMA, LLC v.
BIOGEN, INC.**

Request for certification granted

The request, made pursuant to California Rules of Court, rule 8.548, for this court to decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is granted.

For the purposes of briefing and oral argument, appellant Ixchel Pharma, LLC, is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

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

S256671 F074622 Fifth Appellate District

**PEOPLE v. CRAINE
(TIMOTHY)**

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. Frahs*, S252220 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S256749 B282486 Second Appellate District, Div. 1

**PEOPLE v. KETCHENS
(DENZEL DOMINIQUE)**

Petition for review granted; briefing deferred

The petitions for review are granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Arredondo*, S244166 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S256750 B287245 Second Appellate District, Div. 1

**PEOPLE v. MOUNTFORD
(DAVID GORDON)**

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.

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

S256911 F077598 Fifth Appellate District

**PEOPLE v. THOMPSON
(RICHARD 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 a related issue in *People v. Frahs*, S252220 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S257067 F078063 Fifth Appellate District

**PEOPLE v. HUTCHINSON
(HEATHER LEEANN)**

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. 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.

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

S257112 B291756 Second Appellate District, Div. 8

**PEOPLE v. YOUNG
(BARRICK)**

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. Frahs*, S252220 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S257184 D075553 Fourth Appellate District, Div. 1

**PEOPLE v. MASCIO (JASON
PATRICK)**

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. Frahs*, S252220 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S257245 A152786 First Appellate District, Div. 5

**PEOPLE v. JOAQUIN
(JEFFREY ALLAN)**

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. Kelly*, S255145, and *People v. Stamps*, S255843 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S257356 H044892 Sixth Appellate District

PEOPLE v. MADRIGAL (LUIS ALFONSO)

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. Kelly*, S255145, and *People v. Stamps*, S255843 (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., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S256597 E072385 Fourth Appellate District, Div. 2

STREETER, JR., (HOWARD L.) v. S.C. (CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION)

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

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its order denying the petition for writ of mandate and to issue an alternative writ with respect to the subpoena to San Quentin State Prison seeking discovery of a visitation log for visits by Dr. Dale Watson.

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

S256721 B286807 Second Appellate District, Div. 5

PEOPLE v. GALVEZ (ALEJANDRO)

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

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 620 (Stats. 2017, ch. 682). (See *People v. McDaniels* (2018) 22 Cal.App.5th 420, 425-428.)

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

S224430 B232572 Second Appellate District, Div. 3

PEOPLE v. CERDA (PETER JUAN)

Transferred to Court of Appeal, Second Appellate District, Division Three, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District,

S238073 E055062 Fourth Appellate District, Div. 2 **PEOPLE v. WINDFIELD
(KEANDRE DION)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591 and *People v. Perez* (2016) 3 Cal.App.5th 612, 619. (Cal. Rules of Court, rule 528(d).)

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

S239826 B259708 Second Appellate District, Div. 2 **PEOPLE v. GARCIA (LUIS
ERASMO)**

Transferred to Court of Appeal, Second Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S240998 B266817 Second Appellate District, Div. 4 **PEOPLE v. MIRANDA
(CHRISTIAN J.)**

Transferred to Court of Appeal, Second Appellate District, Division Four, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S241137 B259309 Second Appellate District, Div. 3 **PEOPLE v. ESCOBAR
(JONATHAN LEONIDES)**

Transferred to Court of Appeal, Second Appellate District, Division Three, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S247832 B269545 Second Appellate District, Div. 7 **PEOPLE v. ESQUIVEL
(DANIEL GARY)**

Transferred to Court of Appeal, Second Appellate District, Division Seven, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S249681 B281831 Second Appellate District, Div. 8 **PEOPLE v. GOINS (JOHNNY)**
Transferred to Court of Appeal, Second Appellate District, Division Eight, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Canizales* (2019) 7 Cal.5th 591. (Cal. Rules of Court, rule 8.528(d).)

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

S251756 B279738 Second Appellate District, Div. 5 **GEISER (GREGORY) v.**
KUHNS (PETER)

Transferred to Court of Appeal, Second Appellate District, Division Five, after hold

The above-captioned matter is transferred to the Court of Appeal for the Second Appellate District, Division Five, for reconsideration in light of the decision in *FilmOn.com Inc. v. DoubleVerify Inc.* (2019) 7 Cal.5th 133. (Cal. Rules of Court, rule 8.528(d).)

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

S251822 B280526 Second Appellate District, Div. 2 **SEROVA (VERA) v. SONY**
MUSIC ENTERTAINMENT

Transferred to Court of Appeal, Second Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal for the Second Appellate District, Division Two, for reconsideration in light of the decision in *FilmOn.com Inc. v. DoubleVerify Inc.* (2019) 7 Cal.5th 133. (Cal. Rules of Court, rule 8.528(d).)

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

S252222 B282321 Second Appellate District, Div. 8 **PEOPLE v. GRAY (TREVAIL)**
Transferred to Court of Appeal, Second Appellate District, Division Eight, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of Senate Bill 1437 (Stats. 2018, ch. 1015). (Cal. Rules of Court, rule 8.528(d).)

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

S255373 B286117 Second Appellate District, Div. 1 **PEOPLE v. MEDINA (OSCAR)**
Dismissed and remanded to Court of Appeal, Second Appellate District, Division One

Review in the above-captioned matter, which was granted and held for *People v. Canizales* (2019) 7 Cal.5th 591, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)
Votes: Cantil-Sakauye, C. J., Chin, Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

S200366 **BROWN (STEVEN ALLEN)**
ON H.C.

Petition for writ of habeas corpus denied (AA)

This petition for writ of habeas corpus was filed in this court on February 27, 2012, before the effective date of Proposition 66, the “Death Penalty Reform and Savings Act of 2016.” (See *Briggs v. Brown et al.* (2017) 3 Cal.5th 808, 862.) Under section 1509, subdivision (g) of the Penal Code, the court exercises its authority to retain this petition and decide it.

The petition for writ of habeas corpus is denied.

All claims are denied on the merits, except Claim 15, which petitioner has withdrawn.

S256542 C083549 Third Appellate District **PEOPLE v. BENJAMIN**
(RONALD JAY)

Petition for review denied

S256557 H040972 Sixth Appellate District **MIOTKE (NATALIA &**
PETER), MARRIAGE OF

Petition for review denied

S256572 B286355 Second Appellate District, Div. 1 **STEVENS (SHELBY) v.**
AZUSA PACIFIC
UNIVERSITY

Petition for review & publication request(s) denied

S256575 A152188 First Appellate District, Div. 1 **PEOPLE v. GRANDBERRY**
(HENRY LEE)

Petition for review denied

S256579 B286902 Second Appellate District, Div. 4 **PEOPLE v. CHESHIRE**
(ANDREW EARL)

Petition for review denied

S256586 G055719 Fourth Appellate District, Div. 3

**REINER (WAYNE R.) v. THE
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

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

S256594 C085073 Third Appellate District

**PEOPLE v. FRANKS (ALLEN
BOCTEEMUS)**

Petition for review denied

S256599 B297968 Second Appellate District, Div. 3

**COURAGE SAFETY
SYSTEMS, LLC v. S.C.
(MINERO)**

Petition for review denied

S256606 D075390 Fourth Appellate District, Div. 1

**PEOPLE v. MICHEL
(DANIEL ANTHONY)**

Petition for review denied

S256607 B290806 Second Appellate District, Div. 6

**PEOPLE v. NELSON
(WANDA)**

Petition for review denied

S256634 D075150 Fourth Appellate District, Div. 1

**PEOPLE v. CARLON, JR.,
(VICTOR MANUEL)**

Petition for review denied

S256642 A141670/A141679 First Appellate District, Div. 2

**PEOPLE v. MARTINEZ-
CARREON (WILLIAMS)**

Petitions for review denied

S256650 H046997 Sixth Appellate District

**EDWARDS (DAVID EUGENE)
ON H.C.**

Petition for review denied

S256654 C089661 Third Appellate District

STILES (NICHOLAS DANIEL) ON H.C.

The petition for review is denied on the merits. (See *Harrington v. Richter* (2011) 562 U.S. 86; *Ylst v. Nunnemaker* (1991) 501 U.S. 797, 803.)

S256657 B297659 Second Appellate District, Div. 3

JOHNSON (CLEAMON DEMONE) v. S.C. (PEOPLE)

Petition for review denied

S256680 D073137 Fourth Appellate District, Div. 1

PEOPLE v. PEREZ (ARMANDO)

Petition for review denied

S256682 E070023 Fourth Appellate District, Div. 2

POATS (EUGENE) v. OCWEN LOAN SERVICING, LLC

Petition for review denied

S256685 C081100 Third Appellate District

PEOPLE v. BROWN (KEVIN ANDRE)

Petition for review denied

S256699 A157541 First Appellate District, Div. 3

KOETTING (MARK) v. S.C. (GREEN GATE SERVICES, LLC)

Petition for review denied

S256701 F074490 Fifth Appellate District

PEOPLE v. ROMERO (JULIO JESUS)

Petition for review denied

S256711 A152524 First Appellate District, Div. 3

PEOPLE v. TERRY (JIMMY)

Petition for review denied

S256712 C082283 Third Appellate District

PEOPLE v. MONTOYA (CARLITO)

Petitions for review denied

S256714	F075531 Fifth Appellate District	PEOPLE v. CABRERA (OMAR)
Petition for review denied		
S256715	B277062 Second Appellate District, Div. 3	WRIGHT (WAYNE WILLIAM) v. CITY OF LOS ANGELES
Petition for review denied		
S256718	D073698 Fourth Appellate District, Div. 1	PEOPLE v. AGUILAR (ANTONIO MARQUEZ)
Petition for review denied		
S256719	B289894 Second Appellate District, Div. 5	PEOPLE v. JIMENEZ (CHAD WILLIAMS)
Petition for review denied		
S256722	D074351 Fourth Appellate District, Div. 1	PEOPLE v. HURTADO (ANTONIO)
Petition for review denied		
S256725	B266328 Second Appellate District, Div. 2	PEOPLE v. GARCIA (ISAAC)
Petition for review denied		
S256728	B298791 Second Appellate District, Div. 4	HARRIS (JADE D.) v. S.C. (PEOPLE)
Stay dissolved; petition denied The stay previously issued by this court is dissolved.		
S256731	D074921 Fourth Appellate District, Div. 1	PEOPLE v. THOMAS (KEITH)
Petition for review denied		
S256741	B277941 Second Appellate District, Div. 2	PEOPLE v. VAUGHN (ANTWOINE)
Petition for review denied		

S256747 B287447 Second Appellate District, Div. 5 **PEOPLE v. TATE (TYRONE)**
Petition for review denied

S256751 D074130 Fourth Appellate District, Div. 1 **PEOPLE v. DUNFORD
(ASTRAILIA)**
Petition for review denied

S256767 A153489/A156870 First Appellate District, Div. 4 **PEOPLE v. KNIGHT
(RONALD WILLIAM)**
Petition for review denied

S256773 B298342 Second Appellate District, Div. 3 **MALDONADO (ANGELO G.)
v. S.C. (PEOPLE)**
Petition for review denied

S256786 A157521 First Appellate District, Div. 5 **ALHAMBRA (CECIL) v. S.C.
(PEOPLE)**
The petition for review is denied. The stay previously issued by this court is dissolved.

S256797 A154354 First Appellate District, Div. 4 **PEOPLE v. SPILLARD
(EVERETT)**
Petition for review denied

S256801 B289414 Second Appellate District, Div. 5 **PEOPLE v. STEVENS
(MARIO RODERICK)**
Petitions for review denied

S256802 A153296/A156093 First Appellate District, Div. 3 **IN RE J.M.**
Petition for review denied

S256805 E069307 Fourth Appellate District, Div. 2 **L. (MARTIN) & A. (KAYLA),
MARRIAGE OF**
Petition for review & publication request(s) denied

S256818	A153288 First Appellate District, Div. 4	PEOPLE v. GEETER (JAMAR RASHAD)
Petition for review denied		
S256823	B298492 Second Appellate District, Div. 6	BANKS (LUCION LEE EDWARD) v. S.C. (PEOPLE)
Petition for review denied		
S256834	D073422 Fourth Appellate District, Div. 1	LOUCKS (JEREMIAH) v. JACOBS (HARVEY BARRY)
Petition for review denied		
S256852	A154462/A154991 First Appellate District, Div. 1	LIN (LEON HONG) v. LIN (JENNY PEI)
Petition for review denied		
S256854	B298168 Second Appellate District, Div. 3	McNEAL (KENNY R.) ON H.C.
Petition for review denied		
S256864	B291569 Second Appellate District, Div. 8	PEOPLE v. HEMPHILL (CHRISTOPHER)
Petition for review denied		
S256874	F075332 Fifth Appellate District	PEOPLE v. KLAAS (AMANDA MARIE)
Petition for review denied		
S256903	C088341 Third Appellate District	PEOPLE v. PORCHE (JOSEPH LAWRENCE)
Petition for review denied		
S256913	B289179 Second Appellate District, Div. 2	RUDISILL (ROBIN) v. CALIFORNIA COASTAL COMMISSION (XINGYUN, LLC)

Petition for review denied

S256973 A153205 First Appellate District, Div. 3

**SAN FRANCISCO, CITY &
COUNTY OF v. UBER
TECHNOLOGIES, INC.**

Petition for review denied

S256975 B288641 Second Appellate District, Div. 7

**JOSEPH (JOEL D.) v. CVS
PHARMACY, INC.**

Petition for review denied

S256983 C080511 Third Appellate District

**PEOPLE v. ASH (KYLE
CURTIS)**

Petition for review denied

S256994 C086949 Third Appellate District

**PEOPLE v. ARNOLD
(WILLIAM LAMONT)**

Petition for review denied

S256996 C083884 Third Appellate District

**PEOPLE v. MAYS (BRIAN
JAMES)**

Petition for review denied

S257000 B298992 Second Appellate District, Div. 7

**WILLIAMS (LANCE ELLIOT)
ON H.C.**

Petition for review denied

S257015 A152549 First Appellate District, Div. 5

**RANEY (DAVID) v.
CERKUEIRA (LAWRENCE)**

Petition for review denied

S257019 B298924 Second Appellate District, Div. 6

**BANKS (LUCION LEE
EDWARD) v. S.C. (PEOPLE)**

Petition for review denied

S257025 A157448 First Appellate District, Div. 2

Petition for review denied

**HORACE (CEDRIC
DWAYNE) ON H.C.**

S257076 B287236 Second Appellate District, Div. 7

Petition for review denied

**BLEICH (NICHOLAS) v.
BLEICH (DANIEL)**

S257078 F077500 Fifth Appellate District

Petition for review denied

**PEOPLE v. FLORES (JOSE
DANIEL)**

S257079 H043737 Sixth Appellate District

Petition for review & publication request(s) denied

**DEPARTMENT OF
TRANSPORTATION v.
JARVIS (TODD HENRY)**

S257083 B289925 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. JOHNSON (ABLE
FREDDIE)**

S257091 A152873 First Appellate District, Div. 4

Petition for review denied

**BEAUCHAMP (MICHAEL
LAWRENCE) v.
BEAUCHAMP (RICHARD L.)**

S257092 B282757 Second Appellate District, Div. 3

Petition for review denied

**GALLEGOS (DAVID) v.
TESORO SIERRA
PROPERTIES, LLC**

S257111 B284280 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FRAZIER
(CAMERON ANTHONY)**

S257113	B258333 Second Appellate District, Div. 4	PEOPLE v. MATEO (MILTON)
Petition for review denied		
S257116	G056254 Fourth Appellate District, Div. 3	PEOPLE v. BESS (DANIEL EDWARD)
Petition for review denied		
S257117	B286858 Second Appellate District, Div. 1	PEOPLE v. BANKS (EDWARD EUGENE)
Petition for review denied		
S257118	A153103 First Appellate District, Div. 4	PEOPLE v. VICKERS, JR., (MICHAEL ESLEY)
Petition for review denied		
S257122	B290898 Second Appellate District, Div. 8	PEOPLE v. BOSTON (ROBERT)
Petition for review denied		
S257125	H045883 Sixth Appellate District	PEOPLE v. TORRES (SANTIAGO HERNANDEZ)
Petition for review denied		
S257137	C084613 Third Appellate District	BANK OF AMERICA, N.A. v. LEE (DON H.)
Petition for review denied		
Chin, J., was recused and did not participate.		
S257147	B290319 Second Appellate District, Div. 8	PEOPLE v. JOHNSON (ADRIEAN ISIAH)
Petition for review denied		
S257157	B289251 Second Appellate District, Div. 8	PEOPLE v. SANTANA (LISANDRO)
Petition for review denied		

S257166 A152397 First Appellate District, Div. 4

Petition for review denied

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

S257168 B283776 Second Appellate District, Div. 7

Petition for review denied

**HANNA (MARY) v.
MERCEDES-BENZ USA, LLC**

S257173 F077839 Fifth Appellate District

Petition for review denied

**FIERROS (JUAN ENRIQUE),
ESTATE OF**

S257174 B292363 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GARCIA
(ANDRES)**

S257181 B278271 Second Appellate District, Div. 7

Petition for review & depublication request(s) denied

**EISEN (GLENN) v.
TAVANGARIAN (ARDESHIR)**

S257185 A149522 First Appellate District, Div. 4

Petition for review denied

**WUXI LUOSHE PRINTING &
DYEING CO., LTD. v. LI
(ANSHAN)**

S257186 G056299 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. STEPHENS
(LARRY CLARK)**

S257188

Petition for writ of mandate/prohibition denied

**CIOTTA (STEVEN) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION ONE**

- S257197** G054706/G054877 Fourth Appellate District, Div. 3 **NEWPORT HARBOR OFFICES & MARINA, LLC v. HIGH SEAS YACHT CHARTERS, LLC**
Petition for review denied
- S257203** D073940 Fourth Appellate District, Div. 1 **PEOPLE v. MENDEZ (VICTOR GUERRERO)**
Petition for review denied
- S257208** H046316 Sixth Appellate District **PEOPLE v. MEJIA (DENIS JAVIER)**
Petition for review denied
- S257209** B282309 Second Appellate District, Div. 1 **MOGHADAM (BAHMAN HARIRI) v. CHALON ROAD ASSOCIATES, LLC**
Petition for review denied
- S257210** H045536 Sixth Appellate District **PEOPLE v. HUDNUT (EDGAR JOHN)**
Petition for review denied
- S257214** D074187 Fourth Appellate District, Div. 1 **PEOPLE v. NAVARRO (DAVID)**
Petition for review denied
- S257216** D072977 Fourth Appellate District, Div. 1 **PEOPLE v. ORDAZ (JOSE LUIS)**
Petition for review denied
- S257217** H044367 Sixth Appellate District **PEOPLE v. GONSALES (ELVIS)**
Petition for review denied

S257219	A152084 First Appellate District, Div. 5	PEOPLE v. ARROYO (ABRAHAM)
Petition for review denied		
S257226	A155266 First Appellate District, Div. 5	AINSWORTH (BRETT) v. PETALUMA HEALTH CENTER, INC.
Petition for review denied		
S257228	F076361 Fifth Appellate District	PEOPLE v. RACINES (VALERIANO)
Petition for review denied		
S257235	B298974 Second Appellate District, Div. 1	COLE (ANGELA ROCHELLE) ON H.C.
Petition for review denied		
S257239	F075609 Fifth Appellate District	PEOPLE v. POWELL, JR., (BILLY DALE)
Petition for review denied		
S257242	D073820 Fourth Appellate District, Div. 1	PEOPLE v. VASQUEZ (JOSE LUIS)
Petition for review denied		
S257244		NGUYEN (NINH) v. S.C. (PEOPLE)
Petition for writ of mandate/prohibition denied		
S257247	C087021 Third Appellate District	PEOPLE v. ROGERS (DEANDRE MARQUIS)
Petition for review denied		
S257249	C086770 Third Appellate District	PEOPLE v. LEE (PATRICK KENE)
Petition for review denied		

S257250	C084360 Third Appellate District	PEOPLE v. SKLYAR (YURIY)
Petition for review denied		
S257251	C084367 Third Appellate District	PEOPLE v. RAMOS (STEVEN CRAIG)
Petition for review denied		
S257253	G054953 Fourth Appellate District, Div. 3	PEOPLE v. MARTINEZ (RUBEN)
Petition for review denied		
S257254	H045932 Sixth Appellate District	PEOPLE v. ISAIS (JOE)
Petition for review denied		
S257259	B285456/B288714 Second Appellate District, Div. 2	CHATELAIN (JAMES WILLIAM), ESTATE OF
Petition for review denied		
S257268	B288968 Second Appellate District, Div. 4	LEE (THOMAS) v. ING (TONY)
Petition for review denied		
S257270	E071586 Fourth Appellate District, Div. 2	IN RE M.S.
Petition for review denied		
S257272		GUNN (PHILLIP BENJAMIN) v. COURT OF APPEAL, SECOND APPELLATE DISTRICT, DIVISION FOUR (PEOPLE)
Petition for writ of mandate/prohibition denied		
S257273	G056401 Fourth Appellate District, Div. 3	PEOPLE v. LIMON (ALEJANDRO CHAVEZ)
Petition for review denied		

S257276	B291447 Second Appellate District, Div. 1	PEOPLE v. BETHELL (DATWAN TROY)
Petition for review denied		
S257278	C089845 Third Appellate District	WALLACE (GEORGE ELLIS) ON H.C.
Petition for review denied		
S257279	D073393 Fourth Appellate District, Div. 1	PEOPLE v. GARCIA (JUAN CARLOS)
Petition for review denied		
S257280	F074640 Fifth Appellate District	PEOPLE v. GILBERT (LEVAR JAMES)
Petition for review denied		
S257282	D075124 Fourth Appellate District, Div. 1	PEOPLE v. FRIERY (WILLIAM FRANCIS)
Petition for review denied		
S257284	B297376 Second Appellate District, Div. 4	SMITH (LLOYD FRED) ON H.C.
Petition for review denied		
S257286	B285170 Second Appellate District, Div. 8	PEOPLE v. GARCILAZO (RAFAEL)
Petition for review denied		
S257287	G055781 Fourth Appellate District, Div. 3	PEOPLE v. DIAZ (RICHARD)
Petition for review denied		
S257289	G054855 Fourth Appellate District, Div. 3	PEOPLE v. BROWN (DARRYL EDWARD)
Petition for review denied		

S257290	B293885 Second Appellate District, Div. 8	SAMSKY (AARON) v. STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY
Petition for review & depublication request(s) denied		
S257292	A151345 First Appellate District, Div. 5	PEOPLE v. MARTINEZ (RAYMOND)
Petition for review denied		
S257303	B299098 Second Appellate District, Div. 7	SHELLMIRE (D'ANDRE) v. S.C. (PEOPLE)
Petition for review denied		
S257311	B296237/B297469/B297473 Second Appellate District, Div. 1	NJOKOM (ERIC) v. EL CAMINO COLLEGE DISTRICT
Petition for review denied		
S257323	B291746 Second Appellate District, Div. 5	PEOPLE v. BARWAY (OTIS)
Petition for review denied		
S257338	B267217/B268195/B269209/B270026/B271357 Second Appellate District, Div. 4	OUYANG (LIN) v. ACHEM INDUSTRY AMERICA, INC.
Petition for review denied		
S257341	B261929 Second Appellate District, Div. 4	OUYANG (LIN) v. ACHEM INDUSTRY AMERICA, INC.
Petition for review denied		
S257364	C079715 Third Appellate District	PEOPLE v. WEBSTER (LARRY)
Petition for review denied		

- S257375** B279707 Second Appellate District, Div. 4 **GORMAN (CARMIESHRA Y.)
v. COLE (REGINA WRIGHT)**
Petition for review denied
- S257385** A157902 First Appellate District, Div. 5 **FACEBOOK, INC. v. S.C.
(HUNTER)**
Petition for review denied
- S257643** B291897 Second Appellate District, Div. 2 **TBF FINANCIAL I, LLC v.
ASAP COPY & PRINT**
Petition for review & application for stay denied
The request for judicial notice is granted.
- S252509** **MONTECASTRO (HENDRIX)
ON H.C.**
Petition for writ of habeas corpus denied
- S253340** **TAYLOR (SEAN MICHAEL)
ON H.C.**
Petition for writ of habeas corpus denied
- S253865** **URBANO (ANTHONY
DAVID) 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].)
- S253882** **MENDIVIL (JOHNATHAN
ISSAC) ON H.C.**
The petition for writ of habeas corpus is denied without prejudice in light of the pending proceeding in the superior court.
- S253889** **DICKSON, JR., (BERTRAND)
ON H.C.**
Petition for writ of habeas corpus denied

S255252**MILES (KEITH ALLEN) ON
H.C.**

Petition for writ of habeas corpus denied

S255280**PROFFITT (JERRY) 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].)

S255316**WALTON, JR., (DONNIE
LEE) ON H.C.**

Petition for writ of habeas corpus denied

S255340**NASH (EMANUEL) 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].)

S255362**FORBES (HOWARD) ON H.C.**

Petition for writ of habeas corpus denied

S255376**SMITH (LAWRENCE
CHRISTOPHER) 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].)

S255399**MITCHELL (JOSHUA
MARTIN) ON H.C.**

Petition for writ of habeas corpus denied

S255447**RAY, JR., (EDWARD
VINCENT) 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].)

S255467**VASQUEZ (IVAN LEE) ON
H.C.**

The request for judicial notice is granted. The petition for writ of habeas corpus is denied.

S255522**MILES (KEITH ALLEN) ON
H.C.**

Petition for writ of habeas corpus denied

S255528**SANCHEZ (ISIDRO) ON H.C.**

Petition for writ of habeas corpus denied

S255580**WALSH (KEVIN MICHAEL)
ON H.C.**

Petition for writ of habeas corpus denied

S255776**UPSHAW (ANDRE) 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].)

S255779**DeSPENZA (ROSS HARVEY)
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].) Individual claims are denied, as applicable. (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 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].)

S255901**BENTON (ADAM M.) ON H.C.**

Petition for writ of habeas corpus denied

S255935**GRAJEDA (ANDY) ON H.C.**

Petition for writ of habeas corpus denied

S256019**PEGUEROS (JOVANY
ARANDA) 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].)

S256153**MACIAS (RAYMOND D.) ON
H.C.**

Petition for writ of habeas corpus denied

S256156**GUTIERREZ (JOSEPH) ON
H.C.**

Petition for writ of habeas corpus denied

S256168**XAVIER (GARY RAYMOND)
ON H.C.**

Petition for writ of habeas corpus denied

S256170**RUBIO (FRANCISCO ERIC)
ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Palmer*, S252145.

S256188**MITCHELL (GREGORY
DEAN) ON H.C.**

Petition for writ of habeas corpus denied

S256207**SPEARS (MARTY DON) ON
H.C.**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Palmer*, S252145.

S256208**BARNO (RODNEY B.) ON
H.C.**

Petition for writ of habeas corpus denied

S256209**BUTLER (ROBERT GREGG)
ON H.C.**

Petition for writ of habeas corpus denied

S256223**BRYANT (JOE LARRY) 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].)

S256229**PETERSON (RICHARD
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S256235**FLORES (JUAN ISAAC) ON
H.C.**

Petition for writ of habeas corpus denied

S256249**WALKER (ALCIDO) 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]; *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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S256250**DAMM III (CHARLES) ON
H.C.**

Petition for writ of habeas corpus denied

S256253**ALLEN (EVERETT O'NEAL)
ON H.C.**

Petition for writ of habeas corpus denied

S256261**WILKINSON (LAWONE
WADE) 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].) Individual

claims are denied, as applicable. (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 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 Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

S256266**LORICK (GUY TERRALL)
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].)

S256272**MARKS (MICHAEL) 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].)

S256292**McDANIELS (ALPACINO) ON
H.C.**

Petition for writ of habeas corpus denied

S256316**CARTER (CAMARAY) ON
H.C.**

Petition for writ of habeas corpus denied

S256567**SAHOTA (DEEPAK) ON H.C.**

Petition for writ of habeas corpus denied

S256792**DALTON (ATLAS) ON H.C.**

Petition for writ of habeas corpus denied

S256851**WILLIAMSON (STEPHEN
ROY) ON H.C.**

Petition for writ of habeas corpus denied

S256871**WILLIAMS (LANCE) ON H.C.**

Petition for writ of habeas corpus denied

S256937**PETERSEN (KYLE) 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]; *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].)

S256938**PETERSEN (KYLE) 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]; *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].)

S256997**HARRIS (JAMES LA VELL)
ON H.C.**

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

S257392**CURRY (DAVID HENRY) 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 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].)

S257450**MORRIS (AVERY
ANTHONY) 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].)

S257511**AVILES (DEAN HIMBLER)
ON H.C.**

Petition for writ of habeas corpus denied

S257536

**KOCH (ROLAND THOMAS)
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].)

S257551

**LANGEVIN (DENNIS) ON
H.C.**

Petition for writ of habeas corpus denied

S257729

TULLY (RICHARD) ON H.C.

Order: (dispositive)

This petition for a writ of habeas corpus filed on behalf of a capital inmate was filed in this court after October 25, 2017. Pursuant to Penal Code section 1509, subdivision (a), the petition is transferred to the Superior Court of California, County of Alameda.

In issuing this order, the court has not considered the applicability of Penal Code section 1509, subdivision (d) to this petition.

S256479 D074945 Fourth Appellate District, Div. 1

**DENTON (RICHARD A.) v.
S.C. (LETIZIA)**

Publication request denied (case closed)

S256580 B293585 Second Appellate District, Div. 3

IN RE DIANE S.

Publication request denied (case closed)

S256587 G055815 Fourth Appellate District, Div. 3

**NAHABEDIAN (DEBBEE) v.
SMITH (ROBERT)**

Publication request denied (case closed)

S256628 A152308 First Appellate District, Div. 4

**ASIAN SQUARE, INC. v.
WONG (JAMES)**

Publication request denied (case closed)

S256814 A152933 First Appellate District, Div. 1

**SAN FRANCISCO, CITY &
COUNTY OF v. KIHAGI
(ANNE)**

Publication request denied (case closed)

S256934 B284859 Second Appellate District, Div. 1

**DIRAFFAEL (ROBERT) v.
CALIFORNIA ARMY
NATIONAL GUARD**

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.

S257933

**ROWE (TAMAYO) v. ROWE
(GARY)**

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

Having received the petition for review within the Court's original jurisdiction, the time for ordering review on the court's own motion is hereby extended to November 12, 2019. (Cal. Rules of Court, rule 8.512(c).)

S168441

**PEOPLE v. McKNIGHT
(ANTHONY)**

Extension of time granted

Based upon Supervising Deputy Attorney General Eric D. Share's representation that the supplemental respondent's brief is anticipated to be filed by October 9, 2019, an extension of time in which to serve and file that brief is granted to October 9, 2019. After that date, no further extension is contemplated.

S182059

**PEOPLE v. VARNER (SCOTT
PAUL)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to November 12, 2019.

S206515

PEOPLE v. MILLS (DAVID)

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to November 12, 2019.

S207945

**PEOPLE v. CANALES
(OSMAN ALEX)**

Extension of time granted

Based upon counsel Patricia A. Scott's representation that the appellant's opening brief is anticipated to be filed by December 13, 2019, an extension of time in which to serve and file that brief is granted to October 28, 2019. After that date, only one further extensions totaling about 45 additional days will be granted. Counsel Scott is ordered to inform her assisting entity of this schedule and to take all steps necessary to meet it.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S215177

NUNEZ (DANIEL) ON H.C.

Extension of time granted

Based upon counsel John N. Aquilina's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 9, 2019, an extension of time in which to serve and file that document is granted to November 12, 2019. After that date, only one further extension totaling about 26 additional days is contemplated.

S217299

**HOYT (RYAN JAMES) ON
H.C.**

Extension of time granted

Based upon counsel E. Anne Hawkins's representation that the supplemental reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 20, 2019, an extension of time in which to serve and file that document is granted to November 20, 2019. After that date, no further extension is contemplated.

S252035

H041870 Sixth Appellate District

**VILLANUEVA (MANNY) v.
FIDELITY NATIONAL TITLE
COMPANY**

Extension of time granted

On application of plaintiffs and appellants and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to November 4, 2019. No further extensions are contemplated.

S254599 B289852 Second Appellate District, Div. 5**GADLIN (GREGORY) ON
H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 31, 2019.

S055130**PEOPLE v. MORGAN
(EDWARD PATRICK)**

Withdrawal of counsel allowed by order

Good cause appearing, appointed counsel Michael Meany's "Application to File Declaration of J. Deryl Adderson, M.D. Under Seal Pursuant to California Rules of Court, Rule 8.46 (e)," filed June 11, 2019, is granted. The court makes the findings required by rule 8.46(d)(6) of the California Rules of Court.

Good cause appearing, appointed habeas corpus/executive clemency counsel Michael Meany's application for permission to withdraw as attorney of record for condemned inmate Edward Patrick Morgan, filed June 11, 2019, is granted. The order appointing Attorney Michael Meaney to represent condemned inmate Edward Patrick Morgan for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court, filed October 16, 2016, is hereby vacated.

Attorney Meaney is directed to deliver to Joseph Schlesinger, in his capacity as Executive Director of the California Appellate Project in San Francisco, within 30 days from the filing of this order, his copy of the record on appeal in *People v. Morgan*, all case files, and all habeas corpus investigation work product. Attorney Meaney is also directed to deliver to Mr. Schlesinger, within 30 days from the filing of this order, all trial files, reports and related materials that he has obtained from appellant's trial counsel, paralegals, experts and investigators, or from any other source. Executive Director Schlesinger and any successors must ensure that these materials and work product remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Morgan.

S093803**PEOPLE v. SEUMANU
(ROPATI)**

Withdrawal of counsel allowed by order

Attorney Mark D. Greenberg's "Motion to Withdraw as Counsel of Record," filed May 2, 2019, is granted in part and denied in part as follows. The motion is granted as to the appointment as habeas corpus counsel. Accordingly, the portion of the order filed on July 8, 2009, appointing Attorney Mark D. Greenberg to represent condemned inmate Ropati Seumanu for habeas corpus proceedings related to the above automatic appeal is hereby vacated. Pending further order of the court, the motion to withdraw is denied as to the appointment as counsel for executive clemency

proceedings.

The “Joint Motion for Appointment as Counsel of Record,” filed by Attorneys Michael R. Snedeker and Lisa R. Short on May 2, 2019, is denied as follows. The request for appointment as counsel for habeas corpus proceedings is denied without prejudice to counsel filing a new motion in the superior court. The request for appointment as counsel for executive clemency proceedings is denied.

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

S256584 B289422 Second Appellate District, Div. 3 **PEOPLE v. O’NEAL, SR.,
(MICHAEL)**

Counsel appointment order filed

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

S052210 **PEOPLE v. RODRIGUEZ
(JERRY)**

Order filed

The portion of the court’s April 22, 2015, order appointing Joseph Schlesinger in his capacity as the Executive Director of the California Appellate Project in San Francisco as interim habeas corpus/executive clemency counsel of record for condemned inmate Jerry Rodriguez is hereby vacated.

Executive Director Schlesinger and any successors must ensure that the materials and work product provided by previously appointed habeas corpus/executive clemency counsel remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Rodriguez.

S156877 **PEOPLE v. BROTHERS
(VINCENT EDWARD)**

Order filed

The portion of the court’s July 11, 2018, order appointing Joseph Schlesinger in his capacity as the Executive Director of the California Appellate Project in San Francisco as interim habeas corpus/executive clemency counsel of record for condemned inmate Vincent Edward Brothers is hereby vacated.

Executive Director Schlesinger and any successors must ensure that the materials and work product provided by previously appointed habeas corpus/executive clemency counsel remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to

represent condemned inmate Brothers.

S161036

**KELLY (DOUGLAS OLIVER)
ON H.C.**

Motion denied

Petitioner's motion for an order of this court directing production of the appellate record for the superior court, filed on June 6, 2019, is denied.

S172432

**PEOPLE v. CHEATHAM
(STEVEN DEWAYNE)**

Order filed

The portion of the court's October 17, 2018, order appointing Joseph Schlesinger in his capacity as the Executive Director of the California Appellate Project in San Francisco as interim habeas corpus/executive clemency counsel of record for condemned inmate Steven DeWayne Cheatham is hereby vacated.

Executive Director Schlesinger and any successors must ensure that the materials and work product provided by previously appointed habeas corpus/executive clemency counsel remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Cheatham.

S179850

DYDZAK ON DISCIPLINE

Motion denied – DANIEL DAVID DYDZAK

The motion for an order to show cause filed April 22, 2019, is denied. This matter is now final. The court will no longer consider challenges to petitioner's disbarment.

S180711

**PEOPLE v. KLING
(RANDOLPH CLIFTON)**

Order filed

The portions of the court's July 11, 2018, and October 16, 2018, orders appointing Joseph Schlesinger in his capacity as the Executive Director of the California Appellate Project in San Francisco as interim habeas corpus/executive clemency counsel of record for condemned inmate Randolph Clifton Kling are hereby vacated.

Executive Director Schlesinger and any successors must ensure that the materials and work product provided by previously appointed habeas corpus/executive clemency counsel remain confidential and are not disclosed to anyone other than employees of the California Appellate

Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Kling.

S199311

**GARCIA (RANDY EUGENE)
ON H.C.**

Motion denied

Petitioner's motion for an order of this court directing production of the appellate record for the superior court, filed on June 3, 2019, is denied.

S200982

**PEOPLE v. RONQUILLO
(GABRIEL ALEXANDER)**

Order filed

The portion of the court's July 11, 2018, order appointing Joseph Schlesinger in his capacity as the Executive Director of the California Appellate Project in San Francisco as interim habeas corpus/executive clemency counsel of record for condemned inmate Gabriel Alexander Ronquillo is hereby vacated.

Executive Director Schlesinger and any successors must ensure that the materials and work product provided by previously appointed habeas corpus/executive clemency counsel remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Ronquillo.

S214543

**EDWARDS (ROBERT MARK)
ON H.C.**

Motion denied

Petitioner's motion for an order of this court directing production of the appellate record for the superior court, filed on June 4, 2019, is denied.

S252271

**WONG (ELAINE) ON
CLEMENCY**

Order filed

The "Motion of Governor Gavin Newsom to File Clemency Materials Under Seal" is denied to the extent it seeks to seal the entire clemency file. The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of

Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.
Groban, J., was recused and did not participate.

S252277

**HARRIS (JAMES) ON
CLEMENCY**

Order filed

The “Motion of Governor Gavin Newsom to File Clemency Materials Under Seal” is denied to the extent it seeks to seal the entire clemency file. The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.
Groban, J., was recused and did not participate.

S252279

**RODRIGUEZ (RAMON) ON
CLEMENCY**

Order filed

The “Motion of Governor Gavin Newsom to File Clemency Materials Under Seal” is denied to the extent it seeks to seal the entire clemency file. The Governor is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.
Groban, J., was recused and did not participate.

S252284

**FLOWERS (RICHARD) ON
CLEMENCY**

Order filed

The “Motion of Governor Gavin Newsom to File Clemency Materials Under Seal” is denied to the extent it seeks to seal the entire clemency file. The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.
Groban, J., was recused and did not participate.

S252285**GUZMAN (ANTHONY) ON
CLEMENCY**

Order filed

The “Motion of Governor Gavin Newsom to File Clemency Materials Under Seal” is denied to the extent it seeks to seal the entire clemency file. The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.

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

S255392**BURTON (SUSAN H.) ON
CLEMENCY**

Order filed

The “Motion of Governor Gavin Newsom to File Clemency Materials Under Seal” is denied to the extent it seeks to seal the entire clemency file. The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than September 25, 2019, in the manner prescribed by California Rules of Court, rules 8.45, 8.46(d)(2)-(5). The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate.

S256998**ACCUSATION OF FELDMAN**

Petition denied (accusation)

S257130**ACCUSATION OF GRANT**

Petition denied (accusation)

S257135**ACCUSATION OF DULEY**

Petition denied (accusation)

S257191**ACCUSATION OF KRATT**

Petition denied (accusation)

S257215**ACCUSATION OF CULLEN**

Petition denied (accusation)

S257277

Petition denied

(accusation)

**ACCUSATION OF
JELODOV****S257300**

Petition denied

(accusation)

ACCUSATION OF PEREZFourth Appellate District, Div. 2 **TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division One:

1. E070467 People v. Johnathan Isaacs et al.
2. E070509 People v. Rene Quintanilla, Jr.
3. E070626 People v. Danny Garcia
4. E070458 People v. Victor Flores Leyva
5. E070067 People v. Robert Perez
6. E070349 People v. Ricardo Ramirez et al.
7. E071111 People v. Alejandro Cisneros



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
OCTOBER 2 AND 3, 2019**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on October 2 and 3, 2019.

WEDNESDAY, OCTOBER 2, 2019 — 9:00 A.M.

- (1) California School Board Association et al. v. State of California et al., S247266
- (2) San Diegans for Open Government v. Public Facilities Financing Authority of the City of San Diego et al., S245996
- (3) People v. Guzman (Alejandro O.), S242244

1:30 P.M.

- (4) Mathews (Don L.) et al. v. Becerra (Xavier), as Attorney General, etc., et al., S240156
- (5) People v. Arredondo (Jason Arron), S244166

THURSDAY, OCTOBER 3, 2019 — 9:00 A.M.

- (6) In re Gay (Kenneth Earl) on Habeas Corpus, [related to an underlying Automatic Appeal], S130263
- (7) People v. Frederickson (Daniel Carl), [Automatic Appeal], S067392

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).)