

**SUPREME COURT MINUTES
TUESDAY, SEPTEMBER 30, 2014
SAN FRANCISCO, CALIFORNIA**

S093944

**PEOPLE v. BERTSCH (JOHN
ANTHONY) & HRONIS
(JEFFERY LEE)**

Extension of time granted

The application of appellant John Anthony Bertsch for relief from default for the failure to timely file appellant's request for extension of time is granted.

Good cause appearing, and based upon counsel Thomas Lundy's representation that Bertsch's opening brief is anticipated to be filed by October 31, 2015, counsel's request for an extension of time in which to file that brief is granted to November 19, 2014. After that date, only six further extensions totaling about 338 additional days are contemplated.

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).)

S103358

**PEOPLE v. BARRERA
(MARCO ESQUIVEL)**

Extension of time granted

Good cause appearing, and based upon Assistant State Public Defender Jessica K. McGuire's representation that the appellant's reply brief is anticipated to be filed by April 15, 2015, counsel's request for an extension of time in which to file that brief is granted to December 1, 2014. After that date, only three further extensions totaling about 140 additional days will be granted.

S116307

**PEOPLE v. FLORES III
(ALFRED)**

Extension of time granted

Good cause appearing, and based upon counsel Robert Derham's representation that the appellant's supplemental reply brief is anticipated to be filed by November 24, 2014, counsel's request for an extension of time in which to file that brief is granted to November 24, 2014. After that date, no further extension is contemplated.

S142959**PEOPLE v. YOUNG
(DONALD RAY) & YOUNG
(TIMOTHY JAMES)**

Extension of time granted

On application of appellant Timothy Young and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 2, 2014.

S152556**PEOPLE v. OROZCO (JOSE
LUIS)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Sarah J. Farhat's representation that the respondent's brief is anticipated to be filed by December 5, 2014, counsel's request for an extension of time in which to file that brief is granted to December 5, 2014. After that date, no further extension is contemplated.

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).)

S165998**PEOPLE v. PLATA (NOEL
JESSE) & TRAN (RONALD
TRI)**

Extension of time granted

On application of appellant Noel Jesse Plata's and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 25, 2014.

S167010**PEOPLE v. ARIAS
(LORENZO INEZ) &
MENDOZA (LUIS ALONZO)**

Extension of time granted

On application of appellant Lorenzo Inez Arias and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 1, 2014.

S168441**PEOPLE v. McKNIGHT
(ANTHONY)**

Extension of time granted

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

Good cause appearing, and based upon counsel Thomas Lundy's representation that the appellant's opening brief is anticipated to be filed by December 31, 2014, counsel's request for an extension of time in which to file that brief is granted to November 14, 2014. After that date, only one further extension totaling about 45 additional days is contemplated.

S171998**PEOPLE v. DELEON
(SKYLAR JULIUS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to December 1, 2014.

S180670**MARTINEZ (MICHAEL
MATTHEW) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Susan Garvey's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 5, 2015, counsel's request for an extension of time in which to file that document is granted to November 25, 2014. After that date, only two further extensions totaling about 100 additional days are contemplated.

S188459**MILLS (JEFFERY JON) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Katherine Hart's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by March 30, 2015, counsel's request for an extension of time in which to file that document is granted to November 12, 2014. After that date, only three further extensions totaling 138 additional days will be granted.

S197586**WHEELER (LEROY) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Keith H. Borjon's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by November 28, 2014, counsel's request for an extension of time in which to file that document is granted to December 1, 2014. After that date, no further extension will be granted.

S216626**TOWNSEL (ANTHONY
LETRICE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Louis M. Vasquez's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 24, 2014, counsel's request for an extension of time in which to file that document is granted to November 25, 2014. After that date, only one further extension totaling about 30 additional days is contemplated.

S220961**BLOOM (ROBERT
MAURICE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Michael R. Johnsen's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 30, 2015, counsel's request for an extension of time in which to file that document is granted to December 2, 2014. After that date, only four further extensions totaling about 210 additional days are contemplated.

S218861 D063394 Fourth Appellate District, Div. 1**PEOPLE v. CASTILLOLOPEZ
(EMMANUEL)**

Counsel appointment order filed

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

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

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

Counsel appointment order filed

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

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

Counsel appointment order filed

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

S219152**PEOPLE v. NISSENSOHN
(JOSEPH MICHAEL)**

Order filed

Good cause appearing therefor, in light of the fact that the clerk's and court reporter's transcript both exceed 10,000 pages, the second request of the superior court clerk and court reporter for an extension of time to complete the record on appeal is granted. (See Cal. Rules of Ct., rule 8.616(d)(1),(2).) The superior court clerk and court reporter are directed to complete the record on appeal on or before December 5, 2014, and notify the Supreme Court Clerk in writing as soon as the record on appeal is completed.

S221012**GLEASON, JR., (THOMAS
LEE) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

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

S221533**HULL (DUANE LEVAR) v.
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

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

S201634**CLARAMBEAU ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ADLORE VIRGIL CLARAMBEAU, State Bar Number 174540, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ADLORE VIRGIL CLARAMBEAU must make restitution to the following payees:

- (1) Mark Erkers in the amount of \$2,950 plus 10 percent interest per year from April 1, 2009;
- (2) Laurie Ferrell in the amount of \$2,850 plus 10 percent interest per year from April 8, 2009;
- (3) Mary Villasin in the amount of \$2,950 plus 10 percent interest per year from April 6, 2009;
- (4) Roy Reyes in the amount of \$2,950 plus 10 percent interest per year from July 1, 2009;
- (5) Indira Hodzic in the amount of \$1,500 plus 10 percent interest per year from July 1, 2009;
- (6) Keith Lee Kwai in the amount of \$2,950 plus 10 percent interest per year from July 1, 2009;
- (7) Terry Campbell in the amount of \$3,700 plus 10 percent interest per year from October 20, 2009;
- (8) Monica Parga in the amount of \$2,950 plus 10 percent interest per year from September 25, 2009;

- (9) Hung Vu in the amount of \$2,950 plus 10 percent interest per year from July 1, 2009;
- (10) Purnima Prasad in the amount of \$2,200 plus 10 percent interest per year from January 8, 2009;
- (11) Rafiq Waziri in the amount of \$2,950 plus 10 percent interest per year from September 1, 2009;
- (12) Jessica Clark in the amount of \$2,950 plus 10 percent interest per year from October 7, 2009; and
- (13) Conrado Ramirez in the amount of \$1,400 plus 10 percent interest per year from October 18, 2010.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

ADLORE VIRGIL CLARAMBEAU 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.

S219672**GUZMAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that HENRY EDWARD GUZMAN, State Bar Number 202421, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

HENRY EDWARD GUZMAN must make restitution to Araceli Zamora in the amount of \$5,200 plus 10 percent interest per year from December 22, 2008. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

HENRY EDWARD GUZMAN 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.

S220139**DIENER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that CHRISTOPHER LEE DIENER, State Bar Number 187890, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

CHRISTOPHER LEE DIENER must make restitution to the following payees:

- (1) Arthur Edwards in the amount of \$4,500 plus 10 percent interest per year from February 15, 2009;

- (2) Peggy Simeroth as follows:
 - (i) \$500 plus 10 percent interest per year from February 26, 2009; and
 - (ii) \$1,500 plus 10 percent interest per year from March 13, 2009;
- (3) John and Giuiana McWilliams in the amount of \$2,395 plus 10 percent interest per year from December 3, 2008;
- (4) Julie Robertson in the amount of \$2,495 plus 10 percent interest per year from February 20, 2009;
- (5) Paul Redman in the amount of \$800 plus 10 percent interest per year from February 17, 2009;
- (6) Vincent Accurso in the amount of \$2,395 plus 10 percent interest per year from February 1, 2009;
- (7) Alan Sensbach in the amount of \$1,500 plus 10 percent interest per year from February 6, 2009;
- (8) James Watson in the amount of \$3,500 plus 10 percent interest per year from January 1, 2009;
- (9) Romuilo and Elenita Jereza in the amount of \$2,400 plus 10 percent interest per year from February 20, 2009;
- (10) Robert Lucero as follows:
 - (i) \$900 plus 10 percent interest per year from February 10, 2009; and
 - (ii) \$895 plus 10 percent interest per year from February 25, 2009;
- (11) Rosann and Randy San Nicolas in the amount of \$2,100 plus 10 percent interest per year from January 29, 2009;
- (12) Donald and Kami Bieker in the amount of \$3,500 plus 10 percent interest per year from June 3, 2009; and
- (13) Martin and Jeanne Madrigal as follows:
 - (i) \$1,395 plus 10 percent interest per year from December 23, 2008; and
 - (ii) \$1,605 plus 10 percent interest per year from January 23, 2009.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

CHRISTOPHER LEE DIENER 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.

S220143

HARLOW ON DISCIPLINE

Recommended discipline imposed: disbarred

The court orders that SCOTT NELSON HARLOW, State Bar Number 107024, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SCOTT NELSON HARLOW must make restitution to the following payees:

- (1) Edward Masucci in the amount of \$3,500.00, plus 10 percent interest per year from December 4, 2008;
- (2) Kim Bailey in the amount of \$659.00, plus 10 percent interest per year from November 4, 2010;
- (3) Robin Lohr in the amount of \$1,500.00, plus 10 percent interest per year from March 1, 2007;
- (4) Barbara Donaldson in the amount of \$605.00, plus 10 percent interest per year from December 2, 2010; and
- (5) Barbara Donaldson in the amount of \$1,400.00, plus 10 percent interest per year from December 2, 2010.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SCOTT NELSON HARLOW 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.

S220146**KASENOW II ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ROBERT CHARLES KASENOW II, State Bar Number 205120, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ROBERT CHARLES KASENOW II must make restitution to Chris Cramer in the amount of \$3,500 plus 10 percent interest per year from February 17, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

ROBERT CHARLES KASENOW II 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.

S220151**KOHNEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SIGMUND CHARLES KOHNEN, State Bar Number 61759, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SIGMUND CHARLES KOHNEN must make restitution to the following payees:

- (1) Levis and Marie Caycedo in the amount of \$1,295.00 plus 10 percent interest per year from March 28, 2012;
- (2) Kenneth and Elaine Thomas in the amount of \$1,295.00 plus 10 percent interest per year from September 15, 2011; and
- (3) Andrew and Pajaree Korinek in the amount of \$395.00 plus 10 percent interest per year from July 21, 2012.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

SIGMUND CHARLES KOHNEN 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.

S220163**WANG ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ZHEN XIANG WANG, State Bar Number 229114, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ZHEN XIANG WANG 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.

S220165**WRIGHT ON DISCIPLINE**

Recommended discipline imposed

The court orders that DENNIS LYNN WRIGHT, State Bar Number 60210, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DENNIS LYNN WRIGHT is suspended from the practice of law for the first six months of probation;
2. DENNIS LYNN WRIGHT must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 27, 2014; and
3. At the expiration of the period of probation, if DENNIS LYNN WRIGHT has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DENNIS LYNN WRIGHT must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days,

respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2015 and 2016. If DENNIS LYNN WRIGHT fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S220197**BARKER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JON RAYMOND BARKER, State Bar Number 161849, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JON RAYMOND BARKER must make restitution to John Joseph Barton and Jamil Janet in the amount of \$85,000 plus 10 percent interest per year from November 15, 2012. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

JON RAYMOND BARKER 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.

S220199**BESSER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that BARRY IRA BESSER, State Bar Number 89147, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

BARRY IRA BESSER must make restitution to the following payees:

- (1) Mehri Motakef in the amount of \$27,200 plus 10 percent interest per year from February 3, 2009; and
- (2) Amanda Mata in the amount of \$15,511.67 plus 10 percent interest per year from February 10, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

BARRY IRA BESSER 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.

S220200**GODFREY ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANA ALLAN GODFREY, State Bar Number 152913, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DANA ALLAN GODFREY is suspended from the practice of law for the first 30 days of probation;
2. DANA ALLAN GODFREY must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 28, 2014; and
3. At the expiration of the period of probation, if DANA ALLAN GODFREY has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DANA ALLAN GODFREY must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2015 and 2016. If DANA ALLAN GODFREY fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S220205**McKENNA ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN MICHAEL McKENNA, State Bar Number 91174, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOHN MICHAEL McKENNA is suspended from the practice of law for the first 30 days of probation;
2. JOHN MICHAEL McKENNA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 10, 2014; and
3. At the expiration of the period of probation, if JOHN MICHAEL McKENNA has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN MICHAEL McKENNA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S220207**URBAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that WALTER RICHARD URBAN, State Bar Number 63059, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. WALTER RICHARD URBAN is suspended from the practice of law for the first 90 days of probation;
2. WALTER RICHARD URBAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 3, 2014; and
3. At the expiration of the period of probation, if WALTER RICHARD URBAN has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

WALTER RICHARD URBAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

WALTER RICHARD URBAN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2015 and 2016. If WALTER RICHARD URBAN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.