

**SUPREME COURT MINUTES  
MONDAY, AUGUST 23, 2021  
SAN FRANCISCO, CALIFORNIA**

**S178669****PEOPLE v. WYCOFF  
(EDWARD MATTHEW)**

Opinion filed: Judgment reversed

The judgment is reversed in its entirety. Defendant may be retried if the trial court concludes, at the time of such retrial, that he is mentally competent. If defendant again seeks to represent himself, the trial court has discretion, depending on the medical evidence, to deny self-representation. (See *People v. Johnson, supra*, 53 Cal.4th at pp. 530-531.)

Majority Opinion by Jenkins J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Liu, Cuéllar, Kruger, and Groban, JJ.

**S268437**      F080624 Fifth Appellate District  
Extension of time granted**IN RE D.N.**

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 22, 2021.

**S269198**      B305299 Second Appellate District, Div. 3**PEOPLE v. ALEXANDER  
(AVERIAL)**

Counsel appointment order filed

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

**S269217**      B305393 Second Appellate District, Div. 7**PEOPLE v. McKENZIE  
(GERALD)**

Counsel appointment order filed

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

**S269416**      B301607 Second Appellate District, Div. 7      **PEOPLE v. HERRERA  
(ANTHONY)**

Counsel appointment order filed

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

**S269488**      B305999 Second Appellate District, Div. 6      **PEOPLE v. DURBIN (JAMES  
NICKOLAS)**

Counsel appointment order filed

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

**S269500**      B302169 Second Appellate District, Div. 4      **PEOPLE v. RANGEL (MYRA)**  
Counsel appointment order filed

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

**S269318**      **ADRIAN ON DISCIPLINE**  
Recommended discipline imposed

The court orders that SCOTT ALEXANDER ADRIAN (Respondent), State Bar Number 305325, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent 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 April 14, 2021; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on April 14, 2021. 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, and may be collected by the State Bar through any means permitted by law.

**S269319****KING ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that WILLIAM JAY KING (Respondent), State Bar Number 199908, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$10,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. 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, and may be collected by the State Bar through any means permitted by law.

**S269327****ASLANIAN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that ARMEN ASLANIAN (Respondent), State Bar Number 318965, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

**S269328****TRUAX ON DISCIPLINE**

Recommended discipline imposed

The court orders that TIMOTHY MICHAEL TRUAX (Respondent), State Bar Number 121862, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent 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 3, 2021; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on May 3, 2021. 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, and may be collected by the State Bar through any means permitted by law.

**S269336****NOWAKOSKI ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that EDWARD JOHN NOWAKOSKI (Respondent), State Bar Number 131827, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must make restitution to John A. Moramarco Restated Private Revocable Living Trust Dated March 26, 2003, or such other recipient as may be designated by the Office of Probation or the State Bar Court, in the amount of \$394,681.88 plus 10 percent interest per year from August 1, 2018 (or reimburse the Client Security Fund, to the extent of any payment from the Fund to such payee, in accordance with Business and Professions Code section 6140.5). Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Respondent 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.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$4,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

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, and may be collected by the State Bar through any means permitted by law.

**S269339****JOHNSTON ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID CLINE JOHNSTON (Respondent), State Bar Number 71367, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 60 days of probation;
2. Respondent 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 April 15, 2021; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied, and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on April 15, 2021. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent 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.

Respondent must also maintain the records of compliance as required by the conditions of probation.

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, and may be collected by the State Bar through any means permitted by law.

**S269341****HALL ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID PERCY HALL (Respondent), State Bar Number 196891, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent 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

April 27, 2021; and

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

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on April 27, 2021. 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, and may be collected by the State Bar through any means permitted by law. One-half of the costs must be paid with Respondent's annual fees for each of the years 2022 and 2023. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

**S269321****RODRIGUEZ ON  
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of JOSE ARTURO RODRIGUEZ (Attorney), State Bar Number 116541, as an attorney of the State Bar of California is accepted. If Attorney subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against Attorney.

Attorney must comply with rule 9.20 of the California Rules of Court 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 be considered in any future reinstatement proceeding.

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, and may be collected by the State Bar through any means permitted by law.

**S270423****DONLEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES MONROE DONLEY, State Bar Number 180056, as an attorney of the State Bar of California is accepted.

**S270425****ELMER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES SCOTT ELMER, State Bar Number 188360, as an attorney of the State Bar of California is accepted.

**S270426****FEEMAN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of VICKIE LYNNE FEEMAN, State Bar Number 177487, as an attorney of the State Bar of California is accepted.

**S270427****JACOBS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KATHLEEN MARIE JACOBS, State Bar Number 121955, as an attorney of the State Bar of California is accepted.

**S270428****KANE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARY KANE, State Bar Number 153428, as an attorney of the State Bar of California is accepted.

**S270429****LITTEL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUZANNE CHRISTINA LITTEL, State Bar Number 184038, as an attorney of the State Bar of California is accepted.

**S270430****McCAUSLAND ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ZILDA SANTOS McCAUSLAND, State Bar Number 133720, as an attorney of the State Bar of California is accepted.

**S270431**

**NAKAMOTO ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MEI NAKAMOTO, State Bar Number 118256, as an attorney of the State Bar of California is accepted.

**S270432**

**WISEMAN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ZAVIE PHILIP WISEMAN, State Bar Number 93064, as an attorney of the State Bar of California is accepted.