SUPREME COURT MINUTES WEDNESDAY, FEBRUARY 19, 2020 SAN FRANCISCO, CALIFORNIA

S259956 B271300 Second Appellate District, Div. 1 PEOPLE v. BRYANT (CLYDELL)

Petition for review granted

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

S259999 B295152 Second Appellate District, Div. 5 MOHAMMAD (MOHAMMAD) ON H.C.

Petition for review granted

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

S260209 E073730 Fourth Appellate District, Div. 2 DALY (MICHAEL GOMEZ) v. BOARD OF SUPERVISORS OF SAN BERNARDINO

COUNTY

Petition for review granted; issues limited

The petition for review is granted. The issues to be briefed and argued include the following: Did plaintiffs properly challenge real party in interest's appointment as Third District Supervisor by a petition for writ of mandate under Government Code section 54960.1, subdivision (a), or was an action in quo warranto (Code Civ. Proc., § 803 et seq.) the exclusive procedure for such a challenge?

The temporary stay issued by this court on January 23, 2020, shall remain in effect pending further order of this court.

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

S260024 C087276 Third Appellate District SCHUSTER (TODD BARTON)
ON H.C.

Petition for review granted; briefing deferred

The petition for review is granted, and further action in this matter is deferred pending consideration and disposition of a related issue in *In re Gadlin*, S254599 (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.

S260090 B296384 Second Appellate District, Div. 3 **S. (NARITH) v. S.C. (PEOPLE)** 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 *O.G. v. Superior Court*, S259011 (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.

S260093 H045787 Sixth Appellate District

PEOPLE v. CONTRERAZ (ALBERTO SALVADOR)

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. McKenzie*, S251333 (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.

S260098 C087269 Third Appellate District

PEOPLE v. LOPEZ (JOSE ALBERTO)

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.

S259201 E069631 Fourth Appellate District, Div. 2

VLAHAKIS (WILLIAM CHIDSEY) v. HILTON WORLDWIDE, INC.

Petition for review & publication request(s) denied

S259287 E066330 Fourth Appellate District, Div. 2

GARDNER (CHRISTOPHER) v. APPELLATE DIVISION (PEOPLE)

S259462	A150748 First Appellate District, Div. 4	PEOPLE v. HORACE (MICHAEL HERBERT)	
Petition for review denied			
S259463	C086719 Third Appellate District	PEOPLE v. GANGL (ROBERT MICHAEL)	
Petition for review denied			
S259496 Petition for rev	B281831 Second Appellate District, Div. 8 view denied	PEOPLE v. GOINS (JOHNNY)	
S259570	B287048 Second Appellate District, Div. 5	HERNANDEZ (SHERRY) v. PNMAC MORTGAGE OPPORTUNITY INVESTORS,	
Petition for review & publication request(s) denied The request to appear as counsel pro hac vice is granted.			
S259572	B289196 Second Appellate District, Div. 5	FRANKE (JEFFREY & BONNIE), MARRIAGE OF	
Petition for review & publication request(s) denied			
S259587 Petition for rev	A154826 First Appellate District, Div. 3 view denied	PEOPLE v. SINGH (SUDESH)	
S259632	B295984 Second Appellate District, Div. 8	SAHINIAN (EDWARD) ON H.C.	
Petition for review denied			
S259640	A152184 First Appellate District, Div. 3	PEOPLE v. JONES (JAMONTEE)	
Petition for review denied			
S259642	E073089 Fourth Appellate District, Div. 2	TEQUIDA (RAYMOND ENRIQUE) ON H.C.	

S259647 B266376/B278820 Second Appellate District, Div. 2 KNOWLEDGE &

INTELLIGENCE PROGRAM PROFESSIONALS, INC. v. COMMISSION OF PEACE OFFICER STANDARDS & TRAINING

TRAINING

Petition for review denied

S259657 A153433 First Appellate District, Div. 1 IN RE P.M.

Petition for review denied

S259659 B287912 Second Appellate District, Div. 3 ULKARIM (MONIRA

v. WESTFIELD,LLC

Petition for review & publication request(s) denied

S259700 D075787/D075790 Fourth Appellate District, Div. 1 PEOPLE v. S.C. (GOODEN)

Petition for review & depublication request(s) denied

S259706 C082057 Third Appellate District PEOPLE v. SCHMIDT

(LONNIE GLENN)

Petition for review denied

S259709 E071910 Fourth Appellate District, Div. 2 PEOPLE v. FERRA (DANIEL

HERNANDEZ)

Petition for review denied

S259724 B302874 Second Appellate District, Div. 4 THE CARPENTER GROUP,

LLC v. DEPARTMENT OF ALCOHOLIC BEVERAGE

CONTROL

Petition for review denied

S259739 D075671 Fourth Appellate District, Div. 1 BRACAMONTES (MANUEL)

v. S.C. (PEOPLE)

S259747 B292119 Second Appellate District, Div. 6 **PEOPLE v. R. (PIERRE)**Petition for review denied; CA opinion decertified

The petition for review is denied.

On the court's own motion, the Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed November 18, 2019, which appears at 42 Cal.App.5th 165. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(2).)

S259748 C085052 Third Appellate District PEOPLE v. SALAZAR (JOSE)
Petition for review denied

S259782 D074120 Fourth Appellate District, Div. 1 DEL POZO (ELIZABETH) v. LEMKE (RICHARD G.)

Petition for review denied

S259786 D075379 Fourth Appellate District, Div. 1 PEOPLE v. HARRIS (ANDRE TREVONE)

Petition for review denied

S259793 A158942/A158943 First Appellate District, Div. 5 TIMMONS (VINCENT) v. S.C. (PEOPLE)

Petitions for review denied

S259813 A157383 First Appellate District, Div. 4 DAWS (BRANDON) v. S.C. (PEOPLE)

Petition for review denied

S259834 B294765 Second Appellate District, Div. 6 PEOPLE v. RODRIGUEZ (PEDRO GARCIA)

Petition for review denied

S259835 D075794 Fourth Appellate District, Div. 1 PEOPLE v. LAMOUREUX (PATTY ANN)

Petition for review & depublication request(s) denied

Petition for review denied

S259843	D073268 Fourth Appellate District, Div. 1	PEOPLE v. MAZUR (MATTHEW SAM)		
Petition for review denied (MATTHEW SAW)				
S259871	B289933 Second Appellate District, Div. 6	PEOPLE v. BEADLE (JEFFERY FLOYD)		
Petition for review denied				
S259897	B298319 Second Appellate District, Div. 1	BROWN (SWANIKETA LECOLE) ON H.C.		
Petition for review denied				
S259901	F080010 Fifth Appellate District	HORNEMANN (DIETER) v. S.C. (BEAR VALLEY		
SPRINGS ASSOCIATION) Petition for review denied				
S259902	B286764 Second Appellate District, Div. 3	PEOPLE v. SPACCIA (PIER'ANGELA)		
Petition for review denied				
S259906	B289831 Second Appellate District, Div. 2	INMOBILIARIA BUENAVENTURAS S.A. DE C.V. v. CHICAGO TITLE		
Petition for review denied COMPANY				
S259910	E069293 Fourth Appellate District, Div. 2	PEOPLE v. TAYLOR (STEPHEN DARRELL)		
Petition for review denied				
S259913	F076662 Fifth Appellate District	BAISDEN (LOWELL A.) v.		

BOWERS (PATTI)

S259935 A155780 First Appellate District, Div. 1 CHUNG (POSEE) v. QURESHI (RICK)

Petition for review denied

S259945 B301686 Second Appellate District, Div. 4 GUILFORD (ROY ANTHONY) v. S.C. (PEOPLE)

Petition for review denied

S259964 A156458 First Appellate District, Div. 5 PEOPLE v. DIAZ-ESCOBAR (ANGEL)

Petition for review denied

S260071 G056267 Fourth Appellate District, Div. 3 HUGHES (JAMES & JACKIE), MARRIAGE OF

Petition for review denied

S260074 B288570 Second Appellate District, Div. 4 KRAMER (KEITH) v. LOS ANGELES UNIFIED SCHOOL

DISTRICT

Petition for review denied

The request for judicial notice is denied.

S260076 F079990 Fifth Appellate District PEOPLE v. VIEIRA (RICHARD JOHN)

Petition for review denied

S260080 G056125 Fourth Appellate District, Div. 3 PEOPLE v. MENESES (FRANCISCO JAVIER)

Petition for review denied

S260082 H044901 Sixth Appellate District PEOPLE v. JOHNSON (DWIGHT BENJAMIN)

S260092 C088675 Third Appellate District

PEOPLE v. TOWNSEL (RAYDELL)

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

S260110 B265706/B270397 Second Appellate District, Div. 5 KOTORA (SUSAN) v. AMES (ROBERT H.)

Petition for review denied

S260115 A156475 First Appellate District, Div. 2 IN RE JOSE R.

Petition for review denied

S260121 A154850 First Appellate District, Div. 5 PEOPLE v. ORELLANA

(RICARDO T.)

Petition for review denied

S260123 A155288 First Appellate District, Div. 1 PEOPLE v. ZHU (JENNIE)

Petition for review denied

Cantil-Sakauye, C. J., was recused and did not participate.

S260124 E071946 Fourth Appellate District, Div. 2 **PEOPLE v. CALLINS**

(JOAQUIN)

Petition for review denied

S260125 C087846 Third Appellate District PEOPLE v. BUEGE (KYLE

ALAN)

Petition for review denied

S260126 D075287 Fourth Appellate District, Div. 1 PEOPLE v. LOZA (ALEJANDRO)

Petition for review denied

S260127 A156191 First Appellate District, Div. 3 IN RE C.W.

S260149 C086717 Third Appellate District PEOPLE v. FAULKNER (JAMAL)

Petition for review denied

S260152 B302904 Second Appellate District, Div. 1 CIOTTA (STEVEN) v. S.C.

(PEOPLE)

Petition for review denied

S260158 A151733 First Appellate District, Div. 1 PEOPLE v. RIVERA, JR., (ARNULFO)

Petition for review denied

S260159 D074773 Fourth Appellate District, Div. 1 PEOPLE v. RODRIGUEZ

(HECTOR)

Petition for review denied

S260161 G056944 Fourth Appellate District, Div. 3 CHRISTIANA (JOHN

THOMAS) v. CITY OF LAGUNA BEACH

Petition for review denied

S260164 B293943 Second Appellate District, Div. 6 IN RE D.W.

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *People v. Kopp*, S257844.

S260170 B292481 Second Appellate District, Div. 3 PEOPLE v. ORELLANA (ELMER)

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *People v. Kopp*, S257844.

S260186 B298201 Second Appellate District, Div. 6 PEOPLE v. BOWEN (SHAUNCY LAMONT)

S260199 G055968 Fourth Appellate District, Div. 3 PEOPLE v. ALDAVE (GABRIEL WILLIAMS)

Petitions for review denied

S260203 F076911 Fifth Appellate District PEOPLE v. RAMIREZ (KIMBERLY DAISY)

Petition for review denied

S260207 A156342 First Appellate District, Div. 5 PEOPLE v. HARRIS (THEAVON)

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

S260240 COLE (WALTER LEE) v.

SUPREME COURT OF

CALIFORNIA

Petition for writ of mandate/prohibition denied

S260300 CIOTTA (STEVEN ALLEN) v.

SUPREME COURT OF CALIFORNIA (PEOPLE)

Petition for writ of mandate/prohibition denied

S260388 LAINE (JOSHUA) v. S.C.

(DUTTON)

Petition for writ of mandate/prohibition & application for stay denied

S253674 BENJAMIN (RUDOLPH) ON

H.C.

The request for judicial notice is granted. 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 Lopez*, S258912.

S257817 ORTIZ (DAKAR) ON H.C.

Petition for writ of habeas corpus denied

S257948 LALLIS (RICHARD CHARLES) ON H.C.

Petition for writ of habeas corpus denied

S258288 METZLER (DANIEL EDWARD) 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 Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S258580 LEWIS (VONDELL) ON H.C.

Petition for writ of habeas corpus denied

S258905 PELLECER (JAVIER) ON

H.C.

Petition for writ of habeas corpus denied

S259078 SILHAN (GREGORY) ON

H.C.

Petition for writ of habeas corpus denied

S259093 TORRES (MARIO) ON H.C.

Petition for writ of habeas corpus & application for stay denied

S259102 ELLIOTT, JR., (DEMETRIUS

CORTEZ) ON H.C.

Petition for writ of habeas corpus denied

S259105 MIMS (JAMES) ON H.C.

Petition for writ of habeas corpus denied

S259106

MARTIN (GEORGE) ON H.C.

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

S259108

MONROE (KACEE) 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].)

S259266 LEWIS (JERRY) ON H.C.

Petition for writ of habeas corpus denied

S259316 GATHRIGHT (EMMANUEL)

ON H.C.

Petition for writ of habeas corpus denied

S259320 HUMES (JON) ON H.C.

Petition for writ of habeas corpus denied

S259323 BURBIE (DERRIC) ON H.C.

Petition for writ of habeas corpus denied

S259331 BONSALL (ANTHONY) ON

H.C.

Petition for writ of habeas corpus denied

S259337

GATES (WILLIAM) 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].)

S259341

JONES (FREDDIE) ON H.C.

Petition for writ of habeas corpus denied

S259392 PARTIDA (JOSE LUIS) ON

H.C. Petition for writ of habeas corpus denied

S259393 GRAY (CURTIS Le'BARRON)

ON H.C.

Petition for writ of habeas corpus denied

S259408 BRYANT (DANUYEL E.) ON

H.C.

Petition for writ of habeas corpus denied

S259411 PERIMAN, JR., (ALLEN

JOHN) ON H.C.

Petition for writ of habeas corpus denied

S259420 SIMMONS (WALTER) ON H.C.

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

S260103 HUMES (JON) ON H.C.

Petition for writ of habeas corpus denied

S260288 COLE (WALTER LEE) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S260346 COLE (WALTER LEE) ON

H.C.

Petition for writ of habeas corpus denied

S260579 SMITH (SHAUN TYLER) ON

H.C.

Petition for writ of habeas corpus & application for stay denied

S259743 G056724 Fourth Appellate District, Div. 3 TURNER (JAMIE) v. FEDEX

GROUND PACKAGE

SYSTEM, INC.

Publication request denied (case closed)

S104665 PEOPLE v. POORE (CHRISTOPHER ERIC)

Extension of time granted

Upon application of appellant's counsel, Patricia A. Scott, an extension of time in which to serve and file the appellant's reply brief is granted to April 20,2020. After that date, only two further extension totaling about 104 additional days will be granted.

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).)

Counsel for appellant is ordered to inform her assisting attorney of this schedule and to take all steps necessary to meet it.

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

Application to file over-length brief granted

Good cause appearing, appellant Lorenzo Inez Arias's "Application for Relief from Default" and "Application for Leave to File Oversized Appellant's Reply Brief," filed on February 13, 2020, are granted. Appellant Arias's reply brief must not exceed 64,800 words.

S180217

PEOPLE v. HERNANDEZ, JR., (GEORGE ANTHONY)

Extension of time granted

Based upon counsel Barry Morris's representation that the appellant's reply brief is anticipated to be filed by June 1, 2020, an extension of time in which to serve and file that brief is granted to April 15, 2020. After that date, only one further extension totaling about 46 additional days 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).)

S212161

PEOPLE v. WALTERS (MICHAEL J.)

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 April 20, 2020.

S256822

MILLER (CURTIS E.) ON H.C.

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to March 20, 2020.

S259172

B283218 Second Appellate District, Div. 3

FERRA (JESSICA) v. LOEWS HOLLYWOOD HOTEL, LLC

Extension of time granted

On application of appellant Jessica Ferra and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to March 30, 2020.

S258019

B289003 Second Appellate District, Div. 8

SHEEN (KWANG K.) v. WELLS FARGO BANK, N.A.

Application to appear as counsel pro hac vice granted

The application of Rachel G. Miller-Ziegler for admission pro hac vice to appear on behalf of Wells Fargo Bank, N.A., is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S259414 B293360 Second Appellate District, Div. 6 PEOPLE v. HOWARD (CHARLES)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Adrian Dresel-Velasquez is hereby appointed to represent appellant on the appeal now pending in this court.

S213242 PEOPLE v. SMITH (CHARLES)

Motion denied

Appellant's "Corrected Motion to Augment and Settle the Record on Appeal," filed on November 21, 2019, is denied.

S260296 SLAUGHTER (MARQUES DESHON) 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.

S260455 BIBBS (BRANDON) 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, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S260456 BIBBS (BRANDON) 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, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S260622 BROOKINS (BARRY L.) v. S.C. (PEOPLE)

Transferred to Court of Appeal, Fifth Appellate District

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

S260724 BETTENCOURT (GARY RAY) v. S.C. (PEOPLE)

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S259886 ACCUSATION OF WONG

Petition denied (accusation)

S260028 ACCUSATION OF

WILLIAMS

Petition denied (accusation)

S260095 ACCUSATION OF DALISAY

Petition denied (accusation)

S260208 ACCUSATION OF SALERNO

Petition denied (accusation)

BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,457)

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)