

**SUPREME COURT MINUTES
THURSDAY, FEBRUARY 20, 2020
SAN FRANCISCO, CALIFORNIA**

S241825 C070770 Third Appellate District

**SCHOLES (VINCENT E.) v.
LAMBIRTH TRUCKING
COMPANY**

Opinion filed: Judgment affirmed in full

Majority Opinion by Cuéllar, J.

-- joined by Cantil-Sakauye, C. J., Liu, Kruger, Groban, Aronson*, and Banke**, JJ.

* Associate Justice of the Court of Appeal, Fourth Appellate District, Division Three, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

** Associate Justice of the Court of Appeal, First Appellate District, Division One, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

S252057 H043281 Sixth Appellate District

IN RE G.C.

Opinion filed: Judgment affirmed in full

Majority Opinion by Corrigan, J.

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

S258003

**MENDOZA (HORATIO
ALEJANDRO) ON H.C.**

Petition ordered withdrawn

Petitioner's request, filed on February 18, 2020, to withdraw the petition for review is granted.

S260738 B303999 Second Appellate District, Div. 4

**BELLFLOWER UNIFIED
SCHOOL DISTRICT v. S.C.
(GAVILANES)**

Petition for review & application for stay denied

S259413 H047144 Sixth Appellate District

**PANIAGUA (MELISSA
LILLIAN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2020.

S259493 F076566 Fifth Appellate District

**PEOPLE v. GEZZER
(ROBERT STEVEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2020.

S259763 B288062 Second Appellate District, Div. 7

**SARUN (TONY) v. DIGNITY
HEALTH**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2020.

S259765 B289855 Second Appellate District, Div. 5

S. (J.) v. S. (D.)

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2020.

S259767 C090795 Third Appellate District

**PLANNED PARENTHOOD
MAR MONTE, INC. v. S.C.
(VEGA)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2020.

S259768 B287239/B289008 Second Appellate District, Div. 3 **BARNES (RONNIE) v. STATE
COMPENSATION
INSURANCE FUND**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2020.

S259775 A154927 First Appellate District, Div. 1

**McGUIRE (KELLY) v. STATE
OF CALIFORNIA**

The time for granting or denying review in the above-entitled matter is hereby extended to March 20, 2020.

S259788 H043651 Sixth Appellate District

**PEOPLE v. WHITLEY
(JACOB CRAIG)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2020.

S259802 E070759 Fourth Appellate District, Div. 2 **PEOPLE v. MILLER (LARRY LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2020.

S259803 A155203/A157332 First Appellate District, Div. 3 **PEOPLE v. REYNOLDS (ALEXANDRIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2020.

S259806 B291438 Second Appellate District, Div. 3 **PEOPLE v. AYALA (LEONEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2020.

S259826 H047556 Sixth Appellate District **LAMB (RONALD JERRY) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 25, 2020.

S259832 D076767 Fourth Appellate District, Div. 1 **BAUMAN (JORDANA) v. WELLS FARGO BANK, N.A.; MARIN (MEL M.); S.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 25, 2020.

S259842 A156419 First Appellate District, Div. 1 **S. (BRYAN), CONSERVATORSHIP OF**

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2020.

S259849 H047592 Sixth Appellate District **CRAWFORD (MICHAEL) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 26, 2020.

S259851 E070383 Fourth Appellate District, Div. 2**PEOPLE v. GARCIA
(ARNOLDO ANTONIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 23, 2020.

S137307**PEOPLE v. MORALES
(JOHNNY)**

Extension of time granted

Based upon Deputy Attorney General Amanda Lloyd's representation that the respondent's brief is anticipated to be filed by April 14, 2020, an extension of time in which to serve and file that brief is granted to April 14, 2020. 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 Donald Young, it is ordered that the time to serve and file appellant's opening brief is extended to April 20, 2020.

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

Extension of time granted

On application of appellant Timothy Young, it is ordered that the time to serve and file appellant's opening brief is extended to April 20, 2020.

S170001**PEOPLE v. WATTA
(BENJAMIN WAYNE)**

Extension of time granted

Based upon counsel Jonathan P. Milberg's representation that the appellant's reply brief is anticipated to be filed by April 13, 2020, an extension of time in which to serve and file that brief is granted to April 13, 2020. After that date, no further extension is contemplated.

S182232**PEOPLE v. EVANS
(CHRISTOPHER)**

Extension of time granted

Based upon counsel Wesley A. Van Winkle's representation that the appellant's opening brief is anticipated to be filed by May 4, 2020, an extension of time in which to serve and file that brief is granted to April 3, 2020. After that date, only one further extension totaling 30 additional days will be granted. Counsel for appellant is ordered to inform his assisting attorney 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).)

S182278**PEOPLE v. NELSON (TANYA
JAIME)**

Extension of time granted

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

Based upon counsel Andrew Parnes's representation that the appellant's reply brief is anticipated to be filed by October 19, 2020, an extension of time in which to serve and file that brief is granted to April 14, 2020. After that date, only three further extensions totaling about 186 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).)

S198378**PEOPLE v. RICHARDSON
(JASON RUSSELL)**

Extension of time granted

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

Based upon counsel Diane Nichols's representation that the appellant's opening brief is anticipated to be filed by September 28, 2020, an extension of time in which to serve and file that brief is granted to April 7, 2020. After that date, only three further extensions totaling about 173 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).)

S208429**PEOPLE v. FOWLER
(RICKIE LEE)**

Extension of time granted

Based upon Senior Deputy State Public Defender Lisa D'Orazio's representation that the appellant's opening brief is anticipated to be filed by November 30, 2020, an extension of time in which to serve and file that brief is granted to April 20, 2020. After that date, only four further extensions totaling about 225 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).)

S212477**PEOPLE v. FRAZIER
(TRAVIS) & NOWLIN
(KENNETH LEE)**

Extension of time granted

On application of appellant Travis Frazier, it is ordered that the time to serve and file appellant's opening brief is extended to April 21, 2020.

S212477**PEOPLE v. FRAZIER
(TRAVIS) & NOWLIN
(KENNETH LEE)**

Extension of time granted

On application of appellant Kenneth Nowlin, it is ordered that the time to serve and file appellant's opening brief is extended to April 21, 2020.

S213242**PEOPLE v. SMITH
(CHARLES)**

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 27, 2020.

S216791**PEOPLE v. CASTRO
(ROBERT GONZALES)**

Extension of time granted

Based upon Deputy Attorney General Bruce M. Slavin's representation that the respondent's brief is anticipated to be filed by March 3, 2020, an extension of time in which to serve and file that brief is granted to March 3, 2020. After that date, no further extension is contemplated.

S220332**PEOPLE v. TURNER
(CHESTER DEWAYNE)**

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 24, 2020.

S225017**PEOPLE v. KING (COREY
LYNN)**

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 21, 2020.

S244148 G052367 Fourth Appellate District, Div. 3**BONNI (ARAM) v. ST.
JOSEPH HEALTH SYSTEM**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to March 18, 2020.

S258019 B289003 Second Appellate District, Div. 8**SHEEN (KWANG K.) v.
WELLS FARGO BANK, N.A.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to May 15, 2020.
No further extension of time will be contemplated.

S258376 G056786 Fourth Appellate District, Div. 3 **VAQUERA (OSCAR MANUEL) 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 answer brief on the merits is extended to March 25, 2020.

S259011 B295555 Second Appellate District, Div. 6 **G. (O.) v. S.C. (PEOPLE)**
Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to March 16, 2020. No further extensions of time are contemplated.

S259633 **PEOPLE v. CRESPO (MIGUEL)**

Extension of time granted

Good cause appearing therefor, in light of the fact that the court reporters for the Kern Superior Court, indicate they have an excessive workload and cannot complete the court reporter's record of trial proceedings by the current due date of February 6, 2020, the request of the Clerk of the Superior Court of Kern County for an extension of time to complete the court reporter's transcript on appeal is granted. (See Cal. Rules of Court, rule 8.616(d).)

The Clerk of the Superior Court of Kern County is directed to complete and deliver the court reporter's transcripts on appeal pursuant to rule 8.616(c) on or before May 6, 2020, and to notify the Clerk of this court in writing as soon as the transcripts have been completed and delivered.

S259850 B297195 Second Appellate District, Div. 6 **PRESBYTERIAN CAMP & CONFERENCE CENTERS, INC. v. S.C. (CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to March 23, 2020.

S086234**PEOPLE v. MILES (JOHNNY
DUANE)**

Application to appear as counsel *pro hac vice* granted

The application pursuant to rule 9.40 of the California Rules of Court of Attorney Christopher Kemmitt to appear as counsel *pro hac vice* on behalf of amicus curiae the NAACP Legal Defense & Educational Fund, Inc., is granted.

S239380**PEOPLE v. SANCHEZ
(GILBERT BERNARD)**

Order appointing State Public Defender filed

Upon request of appellant for appointment of counsel, the Office of the State Public Defender is hereby appointed to represent appellant Gilbert Bernard Sanchez for the direct appeal in the above automatic appeal now pending in this court.

S239714**PEOPLE v. LOPEZ (ELIAS
CARMONA)**

Order appointing State Public Defender filed

Upon request of appellant for appointment of counsel, the Office of the State Public Defender is hereby appointed to represent appellant Elias Carmona Lopez for the direct appeal in the above automatic appeal now pending in this court.

S259087

B286405 Second Appellate District, Div. 8

**PEOPLE v. MOORE (JAMES
RONNIE)**

Counsel appointment order filed

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

S259347

B291454 Second Appellate District, Div. 5

**PEOPLE v. JOHNSON
(LLOYD)**

Counsel appointment order filed

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

S259382 B292582 Second Appellate District, Div. 8 **PARRISH (KAHEAL JEVON)
ON H.C.**

Counsel appointment order filed

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

S259460 F077286 Fifth Appellate District **PEOPLE v. SWETNAM (LISA
LYNN)**

Counsel appointment order filed

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

S259467 B250333 Second Appellate District, Div. 3 **PEOPLE v. GUTIERREZ
(JOSE JUAN)**

Counsel appointment order filed

Upon request of appellant Gerardo Jacobo for appointment of counsel, Carlo Andreani is hereby appointed to represent appellant on the appeal now pending in this court.

S260436 C082836 Third Appellate District **PEOPLE v. MERRITT
(LASHEA ETHEL)**

Order filed

The above-captioned case title is hereby amended as follows pursuant to the order from the Court of Appeal granting the motion to sever the consolidated cases C082832 and C082836:

THE PEOPLE, Plaintiff and Respondent,

v.

DAVID GRIFFIN, Defendant and Appellant.

S260622

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

Order filed

The above-captioned case title is hereby amended as follows:

BARRY L. BROOKINS, Petitioner,

v.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION, Respondent;

THE PEOPLE, Real Party in Interest.