

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 10, 2021
SAN FRANCISCO, CALIFORNIA**

S270535 C088485 Third Appellate District

**TAKING OFFENSE v. STATE
OF CALIFORNIA**

Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 66 Cal.App.5th 696 may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

The request for an order directing depublication of the opinion is denied.

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

S270798 B305790 Second Appellate District, Div. 2

**LAW FINANCE GROUP, LLC
v. KEY (SARAH PLOTT)**

Petition for review granted

The request for judicial notice is granted.

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 67 Cal.App.5th 307, may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

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

S271049 D076916 Fourth Appellate District, Div. 1 **PEOPLE v. MUMIN (AHMED)**
Petition for review granted; issues limited

The petition for review is granted.

The issues to be briefed and argued are limited to the following: Did the trial court err by providing a kill zone instruction? Did the Court of Appeal apply the proper standard of review under *People v. Canizales* (2019) 7 Cal.5th 591 in holding the trial court did not err in providing the kill zone instruction?

Pending review, the opinion of the Court of Appeal, which is currently published at 68 Cal.App.5th 36, may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

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

S271054 D076318/D076337 Fourth Appellate District, Div. 1 **TURNER (DEBRA) v.
VICTORIA (LAURIE ANNE)**
Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 67 Cal.App.5th 1099, may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

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

S264322 B300206 Second Appellate District, Div. 1 **PEOPLE v. OLSON (ERICA
DAWN)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.)

Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S264507 E072738 Fourth Appellate District, Div. 2 **PEOPLE v. HANDWERK
(RONALD WESLEY)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.)
Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S265368 E072975 Fourth Appellate District, Div. 2 **PEOPLE v. WILLIAMS
(CURTIS JOHN)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.)
Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S265392 E073092 Fourth Appellate District, Div. 2 **PEOPLE v. BENAVIDEZ
(FERNANDO ANTONIO)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.)
Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S265564 E072712 Fourth Appellate District, Div. 2 **PEOPLE v. BAKER
(MICHAEL SHAWN)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.)
Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S268714 C089261 Third Appellate District

**PEOPLE v. FITZHUGH
(ALPHONZE)**

Order filed: holding for new lead case

The motion to expand review in the above-captioned matter to include the issue pending in *People v. Strong*, S266606, is granted. (See Cal. Rules of Court, rule 8.516.) Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Strong*, and submission of additional briefing is deferred pending further order of the court. (See Cal. Rules of Court, rules 8.512(d)(2).)

S270895 D078183 Fourth Appellate District, Div. 1

**PEOPLE v. RODRIGUEZ
(DANAE MARIE)**

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. Braden*, S268925 (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. The request for an order directing depublication of the opinion is denied. Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271056 F078875 Fifth Appellate District

**PEOPLE v. MONTES
(ERMILO GARCIA)**

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 *Vaquera on Habeas Corpus*, S258376 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271057 E076007 Fourth Appellate District, Div. 2

**PEOPLE v. PRUDHOLME
(RICKY)**

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. Hernandez*, S265379 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271073 B301104 Second Appellate District, Div. 5 **PEOPLE v. MAURTUA III
(VICTOR MANUEL)**

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. Strong*, S266606 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271094 B306060 Second Appellate District, Div. 8 **PEOPLE v. LOPEZ
(TEODORO)**

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 *In re Vaquera*, S258376 (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., Corrigan, Liu, Cuéllar, Kruger, Groban, and Jenkins, JJ.

S271139 H047156 Sixth Appellate District **PEOPLE v. BREW
(EMMANUEL LARS)**

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. Delgadillo*, S266305 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271141 B309642 Second Appellate District, Div. 1 **PEOPLE v. BLOCKER
(LINNETTE O.)**

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. Strong*, S266606 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271142 B306667 Second Appellate District, Div. 1 **PEOPLE v. MYERS (MARK DAMON)**

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. Strong*, S266606 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271205 B301439 Second Appellate District, Div. 4 **PEOPLE v. FLOWERS (STEVE)**

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. Strong*, S266606 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S271211 B300252 Second Appellate District, Div. 1 **PEOPLE v. GALLOW (WHITNEY)**

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. Strong*, S266606 (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., Corrigan, Liu, Kruger, Groban, and Jenkins, JJ.

S270568 F078228 Fifth Appellate District **PEOPLE v. VASQUEZ (GUILLERMO)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petitions for review are granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of Penal Code section 186.22, as amended by Assembly Bill No. 333 (Stats. 2021, ch. 699). (Cal. Rules of Court, rule 8.528(d).)

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in this matter filed July 27, 2021, which appears at 66 Cal.App.5th 1180. (Cal. Const., art. VI, § 14; Cal. Rules of Court, rule 8.1125(c)(2); see *Standing Order Exercising Authority Under*

California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion, Administrative Order 2021-04-21; California Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 3.)

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

S271058 D078174 Fourth Appellate District, Div. 1 **PEOPLE v. HALL (MICHAEL ANDRE)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of Penal Code section 1170.95, as amended by Senate Bill No. 775 (Stats. 2021, ch. 551).

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

S271070 H048280 Sixth Appellate District **PEOPLE v. McCLURE (JULIE ANN)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 775 (2020-2021 Reg. Sess.; Stats. 2021, ch. 551). (Cal. Rules of Court, rule 8.528(d).)

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in this matter filed August 17, 2021, which appears at 67 Cal.App.5th 1064. (Cal. Const., art. VI, § 14; Cal. Rules of Court, rule 8.1125(c)(2); see *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion, Administrative Order 2021-04-21; California Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 3.)*

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

S271203 D078265 Fourth Appellate District, Div. 1 **PEOPLE v. TAFICH (YUSSEF YIRISH)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division One

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of Penal Code section 1170.95, as amended by Senate Bill No. 775 (Stats. 2021, ch. 551).

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

S258175 B271516 Second Appellate District, Div. 7 **PEOPLE v. LOPEZ (JANETH)**
Transferred to Court of Appeal, Second Appellate District, Division Seven, after grant of review

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 775 (Stats. 2021, ch. 551). As explained in *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21, and California Rules of Court, rule 8.1115(e)(3), corresponding comment, par. 3, the opinion is hereby rendered either “depublished” or “not citable.”

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

S261627 A156981 First Appellate District, Div. 2 **PEOPLE v. MORRISON**
(CURTIS LEE)

Dismissed and remanded to Court of Appeal, First Appellate District, Division Two

Review in the above-captioned matter, which was granted and held for *People v. Lewis* (2021) 11 Cal.5th 952, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S263219 B296331 Second Appellate District, Div. 3 **PEOPLE v. TARKINGTON**
(ANTHONY LYLE)

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Three

Review in the above-captioned matter, which was granted and held for *People v. Lewis* (2021) 11 Cal.5th 952, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S271391 **BOWMAN (SCOTTY) ON**
CLEMENCY

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant clemency

The Honorable Gavin Newsom
Governor, State of California
State Capitol Building Sacramento, CA 95814

Re: Scotty Bowman
Legal Affairs File No.: GO No. CR-4137-19
Case Number: S271391
Executive Clemency Number: 1221

Dear Governor Newsom:

On the application of Scotty Bowman for pardon, the court, with at least 4 judges concurring, hereby makes the recommendation required by Article V, section 8 of the California Constitution for the Governor to grant a pardon.

Sincerely,

Tani G. Cantil-Sakauye, Chief Justice of California

S271392

**THOMAS (RAHSAAN) ON
CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant clemency

The Honorable Gavin Newsom
Governor, State of California
State Capitol Building Sacramento, CA 95814

Re: Rahsaan Thomas
Legal Affairs File No.: GO No. 3458-147
Case Number: S271392
Executive Clemency Number: 1222

Dear Governor Newsom:

On the application of Rahsaan Thomas for commutation of sentence, your office requested a recommendation under article V, section 8 of the California Constitution in order to grant a commutation of sentence to the applicant. The request stated that: "The Governor is contemplating a commutation of sentence that would make Mr. Thomas eligible for an earlier parole suitability hearing." The court, with at least 4 judges concurring, hereby grants the request and issues the recommendation required by article V, section 8.

Sincerely,

Tani G. Cantil-Sakauye, Chief Justice of California

S270081**HEALY (KEVIN M.) v. STATE
BAR COURT OF
CALIFORNIA REVIEW
DEPARTMENT**

Petition for review denied
Cantil-Sakauye, C. J., was recused and did not participate.

S270212**JONES (FRANK EUGENE) v.
S.C. (PEOPLE)**

Petition for writ of mandate/prohibition denied

S270247 D077599 Fourth Appellate District, Div. 1**JOHNSON (GINA) v. MAXIM
HEALTHCARE SERVICES,
INC.**

Petition for review & depublication request(s) denied

S270271 B305480 Second Appellate District, Div. 3**HARRIS (BERNADINE) v.
PROANO (FABIAN)**

Petition for review & publication request(s) denied

S270314 B307534 Second Appellate District, Div. 2**LSG LAS TUNAS, LP v. A & R
CORPORATION, INC.**

Petition for review denied

S270451 D076228 Fourth Appellate District, Div. 1**HAYTASINGH (MICHAEL
RAMESH) v. CITY OF SAN
DIEGO**

Petition for review & depublication request(s) denied

The request for judicial notice is granted.

The petition for review is denied.

The request for an order directing partial depublication of the opinion is denied.

See concurring statement by Groban, J.

CONCURRING STATEMENT BY JUSTICE GROBAN

I agree with my colleagues that this is not an appropriate case in which to grant review, but I write separately to urge the Legislature, as did the Court of Appeal majority, to consider making

commonsense changes to the relevant provisions of the Harbors and Navigation Code. I fear that uncertainty surrounding the current statutory scheme jeopardizes the safety of those in need of ocean rescue, as well as the safety of first responders who often risk their own lives to save them.

This case arises from an incident involving surfer Michael Ramesh Haytasingh and lifeguard Ashley Marino that occurred at Mission Beach in San Diego on August 3, 2013. On that day, while on duty as a lifeguard for the City of San Diego (City), Marino was operating an 11.5-foot personal watercraft. Haytasingh alleges that Marino was grossly negligent in the operation of her watercraft in his proximity, which resulted in serious injury when he attempted to avoid her.

At trial, Haytasingh requested a jury instruction stating that City lifeguards operating personal watercrafts are required to comply with the five-miles-per-hour speed limit of Harbors and Navigation Code (footnote 1) section 655.2. The trial court refused, holding that City lifeguards are exempt from the speed limit requirement. On appeal, a majority of the Court of Appeal concluded that the trial court erred. The majority held that Marino’s City-owned personal watercraft did not fall within the exemptions from section 655.2’s speed provisions. First, Marino’s City-owned personal watercraft did not qualify for an exemption from the speed limit because it was not “[a] vessel whose owner is a state or subdivision thereof” (§ 650.1, subd. (b)(3)). (*Haytasingh v. City of San Diego* (2021) 66 Cal.App.5th 429, 458-464 (*Haytasingh*)). Second, San Diego Municipal Code section 63.20.15’s broader exemption from any speed limit for all government employees operating vessels in their official capacities could not apply because it impermissibly conflicted with Harbors and Navigation Code section 655.2, subdivision (b), which only exempts vessels “engaged in direct law enforcement activities that are displaying the lights prescribed by Section 652.5.” (See *Haytasingh*, at pp. 464-466, citing, inter alia, § 660, subd. (a) [any local “measure shall not conflict with this chapter”].) Finally, since it was “undisputed” that Marino’s vessel did not possess such lights prescribed by section 652.5, her City-owned personal watercraft could not fall within that exemption either. (*Haytasingh*, at p. 466.)

(footnote 1) All undesignated section references are to the Harbors and Navigation Code.

As persuasively pointed out in amicus curiae letters from various cities and city-run lifeguard services departments, all supporting City and Marino’s petition for review, this current statutory framework presents a myriad of problems.

With respect to the Court of Appeal’s determination that cities are not exempt as “subdivisions” of the state, the parties debate whether it makes sense for county and state lifeguards to be exempt from section 655.2’s speed limit pursuant to section 650.1 while city lifeguards are not. As for the Court of Appeal’s determination that City lifeguard vessels are not covered by the San Diego Municipal Code’s exemption for all government employees operating vessels in their official capacities, the parties disagree about whether the Legislature actually intended to limit cities’ authority to regulate harbor speed limits. Because the Legislature is best situated to make these very determinations, I echo the Court of Appeal majority’s call for the Legislature to clarify its

intent. (footnote 2)

(footnote 2) See *Haytasingsh, supra*, 66 Cal.App.5th at page 464 (“[G]iven the ambiguity in Harbors and Navigation Code section 650.1, subdivision (b)(3), and particularly in its interaction with the speed limit set forth in section 655.2 of that same code, we respectfully invite the Legislature to consider amending portions of chapter 5 of division 3 of the Harbors and Navigation Code to clarify its intent with respect to these provisions”).

Clarification is crucial because, without further guidance, there is remaining uncertainty about whether city-owned watercraft can ever be exempt from section 655.2’s five-miles-per-hour speed limit. The Court of Appeal majority suggests that, even if the above-described exemptions do not apply to cities, city-owned watercraft may still be exempt from section 655.2’s speed limit if they are “engaged in direct law enforcement activities” and displaying the distinctive blue lights prescribed by section 652.5 (§ 655.2, subd. (b)). (*Haytasingsh, supra*, 66 Cal.App.5th at p. 466.) However, it is unclear whether personal watercrafts engaged in lifeguarding services can, or should, qualify for section 655.2, subdivision (b)’s “blue light” exemption. As the City of Encinitas explains in its amicus curiae letter, “The vessels are not marked, lighted or intended as a law enforcement vessel but as a life safety platform with the primary mission of the Rescue Craft being rescue, patrol, and surveillance.” Furthermore, even if these watercraft are law enforcement vessels and thereby exempt from the speed limit as long as they display the “distinctive” blue lights required by the statute, it may be difficult and expensive to comply with the exacting lighting requirements. (Cal. Code Regs., tit. 14, § 6591 [“The distinctive light prescribed by Section 652.5, Harbors and Navigation Code, for law enforcement vessels shall be a blue colored, revolving horizontal beam, low intensity light rotating or appearing to rotate because of a pulsating effect gained by means of a rotating reflector which causes a flashing or periodic peak intensity effect. The light shall be located at any effective point on the forward exterior of the vessel”].) Not only are the lighting requirements highly technical but, as amicus curiae the City of Santa Cruz explains, “[Rescue watercrafts] are small craft with little room for a blue light.”

If city-owned personal watercrafts engaged in lifeguarding services cannot qualify for any of the exemptions from section 655.2’s speed limit, the result is quite troubling. This would mean that such vessels cannot exceed five miles per hour within 100 feet of bathers, which includes surfers and swimmers, or within 200 feet of “[a] beach frequented by bathers.” (§ 655.2, subd. (a)(2)(A); see § 651.1.) As amici curiae explain, such a limitation on lifesaving personal watercrafts, which regularly operate in rough surf in an attempt to rescue bathers who are in grave danger, imperils public safety. The City of San Diego Fire-Rescue Department’s Lifeguard Services Division aptly describes the concern: “Every second responding to a water rescue is integral to a positive outcome. Once a drowning victim slips under the surface of the water, the rate of survival and recovery becomes exponentially worse. The [rescue watercraft], due to its speed, power, and high vantage point on the water, is a force multiplier and the most effective lifesaving tool inside the surf line.” Indeed, without an exemption from the five-miles-per-hour speed limit, these important rescue watercraft may be rendered useless as a lifesaving aid (the City of San Diego Fire-Rescue Department’s Lifeguard Services Division explains that “[t]he idle speed of [a rescue

watercraft] in flat water is approximately 5 mph and a restriction to this use of speed would render the vessel unsuitable for rescue operations”). It will be of little comfort to the next swimmer or surfer in peril to learn that the most effective means of saving him or her is unavailable due to a latent ambiguity in the Harbors and Navigation Code. I urge the Legislature to address this ambiguity forthwith.

GROBAN, J.

We Concur:

CORRIGAN, J.

LIU, J.

JENKINS, J.

S270552 C089021 Third Appellate District

**PEOPLE v. HUNT
(DEBORAH)**

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.

S270567 H047793 Sixth Appellate District
Petition for review & publication request(s) denied

IN RE V.G.

S270590 C092010 Third Appellate District

**PEOPLE v. DEARING
(SHAWN BRIAN)**

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.

S270591 D078326 Fourth Appellate District, Div. 1
Petition for review denied

IN RE D.G.

S270603 F082823 Fifth Appellate District
Petition for review & application for stay denied

S. (M.) v. S.C. (PEOPLE)

S270635 B308627 Second Appellate District, Div. 2
Petition for review & depublication request(s) denied
Liu, J., is of the opinion the petition should be granted.

PEOPLE v. NOLASCO (JOSE)

S270676 B295059 Second Appellate District, Div. 7

Petition for review denied

**LASARTE (JUAN) v.
CATALINA CYLINDERS**

S270692 G060445 Fourth Appellate District, Div. 3

Petition for review denied

**FLORES (LUIS ALBERTO) v.
S.C. (PEOPLE)**

S270701 A161687 First Appellate District, Div. 2

Petition for review denied

Liu, J., is of the opinion the petition should be granted.

MURRAY (PAUL) ON H.C.

S270732 G058980 Fourth Appellate District, Div. 3

Petition for review & publication request(s) denied

**TUTTLE (FRED) v. NALCO
COMPANY, LLC**

S270736 B314568 Second Appellate District, Div. 2

Petition for review denied

**SEDAGHAT (S. DAVID) v.
S.C. (LEVIN)**

S270794 E074950 Fourth Appellate District, Div. 2

Petition for review denied

**REILLY (JOSEPH MICHAEL)
v. SANCHEZ (CAROLINA
MARIE)**

S270797 A161270 First Appellate District, Div. 4

Petition for review denied

Liu, J., is of the opinion the petition should be granted.

JONES (EUGENE) ON H.C.

S270877 E077433 Fourth Appellate District, Div. 2

Petition for review denied

**DE LIGHT (JOHN) v. S.C. (DE
LIGHT)**

S270886 A157572/A159021 First Appellate District, Div. 5 **LEAVITT (TERESA ELIZABETH) v. JOHNSON & JOHNSON**

The requests to appear as counsel pro hac vice are granted.
The motion to strike untimely reply brief is denied.
The petition for review is denied.
The request for an order directing publication of the opinion is denied.

S270891 C087286 Third Appellate District **PEOPLE v. RALLS (MITCHELL LEE)**

Petition for review denied

S270906 E075528 Fourth Appellate District, Div. 2 **PEOPLE v. SANTANABOLLAS (JAVIER)**

Petition for review denied

S270911 D078586/D078589 Fourth Appellate District, Div. 1 **MERIDIAN FINANCIAL SERVICES, INC. v. PHAN (LANANH)**

Petition for review denied

S270927 C083772 Third Appellate District **PEOPLE v. WILSON (GREGORY MICHAEL)**

Petition for review denied

S270948 B306011 Second Appellate District, Div. 8 **QAADIR (MALAK MELVIN ABDUL) v. FIGUEROA (UBALDO GURROLA)**

Petition for review & depublication request(s) denied

S270952 B312910 Second Appellate District, Div. 7 **PEOPLE v. GREEN (CLAUDELL)**

Petition for review denied

S270969 B304025/B306624 Second Appellate District, Div. 4 **OUTFRONT MEDIA, LLC v. CITY OF LOS ANGELES**

Petition for review denied

S270985 B306412 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PRADO
(EDUARDO)**

S271000

The petition for writ of mandate is denied.
Corrigan, J., was recused and did not participate.

**LYNCH (SASCHA) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION THREE (CHAO)**

S271004 C094727 Third Appellate District

Petition for review denied

**MARSALA (JOSEPH) v. S.C.
(PEOPLE)**

S271007 G060202 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CORTEZ
(CARLOS HUMBERTO)**

S271012 E073733 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SUNNY (STEVEN
JAMES)**

S271013 C091812 Third Appellate District

Petition for review denied

**PEOPLE v. SANCHEZ, JR.,
(JUAN JOSE)**

S271014 B307531 Second Appellate District, Div. 6

Petition for review denied

IN RE M.B.

S271020 G058961 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. TANBER (CRAIG
MATTHEW)**

S271035 G059283 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HERNANDEZ
(CHRISTIAN ROBERT)**

S271048 F081596 Fifth Appellate District

Petition for review denied

PEOPLE v. VANG (MANDA)

S271051 D077553 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BAYNE
(ALEXANDRIA MARIE)**

S271052 B305392 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GONZALEZ
(JOSE DEJESUS)**

S271053 C088191 Third Appellate District

Petition for review denied

**PEOPLE v. HURST (JUSTIN
DANE)**

S271055 B304587 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. POWELL
(MICHAEL ANTHONY)**

S271059 B300619 Second Appellate District, Div. 4

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.

**PEOPLE v. MILES (TYRONE
LEE)**

S271060 F080089 Fifth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ
(EDGAR)**

S271062 B309946 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BRALEY
(THOMAS D.)**

S271063 H047528 Sixth Appellate District

Petition for review denied

**PEOPLE v. GRIFFITH
(CHRISTOPHER L.)**

S271064 G059157 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ESPINOZA
(ARTHUR PALMA)**

S271071 H047418 Sixth Appellate District

Petition for review denied

**PEOPLE v. CORTEZ
(ALEXANDER TECALCO)**

S271072 H048318 Sixth Appellate District

Petition for review denied

**CORTEZ (ALEXANDER
TECALCO) ON H.C.**

S271081 A163384 First Appellate District, Div. 4

Petition for review denied

RANGE (PATRICK) ON H.C.

S271083 B302770 Second Appellate District, Div. 7

Petition for review denied

**POTE (PATRICK) v. HANDY
TECHNOLOGIES, INC.**

S271089 D077523 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. RODAS (OSCAR)

S271090 B305541 Second Appellate District, Div. 8

Petition for review denied

PEOPLE v. SOLIS (HENRY)

S271101 C089464 Third Appellate District

Petition for review denied

**PEOPLE v. BAREFIELD
(MICHAEL SCOTT)**

S271108 E074270 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BACKLUND
(VIRGINIA MARIE)**

S271111 B308796 Second Appellate District, Div. 2

Petition for review denied
Cantil-Sakauye, C. J., was recused and did not participate.

**BROOKS (IAN W.) v. THE
REHABILITATION CENTRE
OF BEVERLY HILLS, INC.**

S271112 B298960 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ROMERO
(DAVID)**

S271114 C081843 Third Appellate District

Petition for review denied

**PEOPLE v. ROBERTS (RYAN
DOUGLAS)**

S271132 E073795 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HILLMAN
(EUGENE)**

S271136 A159863 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HICKS, JR.,
(TIQUON RAMON)**

S271137 C091575 Third Appellate District

Petition for review denied

**“I AM” SCHOOL, INC. v.
CITY OF MOUNT SHASTA**

S271138 H049015 Sixth Appellate District

Petition for review denied

B. (D.) v. S.C. (PEOPLE)

S271146 D078512 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RYAN (RALPH
MONTECINO)**

S271161 E076662 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. PAGE (SIDNEY ELBERT)

S271165 B307736 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. MEZA (BRAYAN MARTIN)

S271170 F078385 Fifth Appellate District

Petition for review denied

PEOPLE v. BLACKWOOD (JOSHUA LEROY)

S271171 C087887 Third Appellate District

Petition for review denied

PEOPLE v. LENZ (JEREMY JAMES)

S271172 D078309 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. ZYLSTRA (ALICE MARIE)

S271173 C087740 Third Appellate District

Petition for review denied

PEOPLE v. LYNCH (JORDAN BYERS)

S271175 C089714 Third Appellate District

Petition for review denied

PEOPLE v. DIAZ (MICHAEL BRENNER)

S271177 B307506 Second Appellate District, Div. 2

Petition for review denied

PEOPLE v. BERNAL (NICANDRO CORTEZ)

S271182 C088950 Third Appellate District

Petition for review denied

PEOPLE v. MOPPINS (FRANK IRVIN)

S271183	A157835 First Appellate District, Div. 4	PEOPLE v. McCOWAN (RAYMOND BEPLAND)
Petition for review denied		
S271192	C089522 Third Appellate District	PEOPLE v. HARDNEY (JOHN)
Petition for review denied		
S271193	C092379 Third Appellate District	PEOPLE v. BEAN (ANTHONY)
Petition for review denied		
S271197	B302429 Second Appellate District, Div. 3	PEOPLE v. WALKKEIN (JOSEPH LIONEL)
Petition for review denied		
S271198	B301568 Second Appellate District, Div. 8	PEOPLE v. JOHNSON (JAMES E.)
Petitions for review denied		
S271199	B302051 Second Appellate District, Div. 4	PEOPLE v. DELGADO (IVAN)
Petition for review denied		
S271200	E075180 Fourth Appellate District, Div. 2	PEOPLE v. DELEON, JR., (SANTIAGO JIMMY)
Petition for review denied		
S271212	G058977/G059751 Fourth Appellate District, Div. 3	PEOPLE v. LANWAY (ANGELA MARIE)
Petition for review denied		
S271213	G060190 Fourth Appellate District, Div. 3	PEOPLE v. ACKERMAN (GERALD FREDERICK)
Petition for review denied		

S271214	B306184 Second Appellate District, Div. 2	LIEBOVICH (MATTHEW) v. TOBIN (DIANE)
Petition for review denied		
S271215	A157827 First Appellate District, Div. 3	PEOPLE v. RAMIREZ (PEDRO)
Petition for review denied		
S271218	A161222 First Appellate District, Div. 4	PEOPLE v. LEPE (JOSE)
The request for judicial notice is granted. The petition for review is denied.		
S271227	D076849 Fourth Appellate District, Div. 1	PEOPLE v. SMITH (RONALD JAKE)
Petition for review denied		
S271228	A160384 First Appellate District, Div. 4	PEOPLE v. GRABHAM, JR., (JAMES WILLIAM)
Petition for review denied		
S271229	B314806 Second Appellate District, Div. 7	DEAN (NATHANIEL) ON H.C.
Petition for review denied		
S271233	G060129 Fourth Appellate District, Div. 3	PEOPLE v. TRAN (MICHAEL DINH)
Petition for review denied		
S271242	B314970 Second Appellate District, Div. 1	CIOTTA (STEVEN) ON H.C.
Petition for review denied		
S271248	C092241 Third Appellate District	PAINTER (BRENT A.) v. FRANCIS REALTY, INC.
Petition for review denied		

S271319**WISE (MELANIE) v.
NEWSOM (GAVIN)**

Petition for writ of mandate/prohibition denied

S271340 C094966 Third Appellate District**JOHNSON (CHRISTIAN L.) v.
S.C. (CALIFORNIA
DEPARTMENT OF
TRANSPORTATION)**

Stay dissolved; petition denied

The petition for review is denied.

The temporary stay issued by this court on October 18, 2021, is hereby dissolved.

S271402**CRANE (RICHARD JOSEPH)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION TWO
(PEOPLE)**

The request for judicial notice is granted.

The petition for writ of mandate and application for stay are denied.

S271442 E077572 Fourth Appellate District, Div. 2**GILPIN (JOSHUA WAYNE) v.
S.C. (PEOPLE)**

Petition for review & application for stay denied

S271624 B315900 Second Appellate District, Div. 7**FINK (DAVID) v. S.C.
(PEOPLE)**

Petition for review & application for stay denied

S268151**McCARTHY (JAMES
TIMOTHY) ON H.C.**

Petition for writ of habeas corpus denied

S269891**WOODS (RODTRAVION) ON
H.C.**

Petition for writ of habeas corpus denied

S269910

BELTON, JR., (VERNON LEE) ON H.C.

Petition for writ of habeas corpus denied

S269971

NUNEZ (JESUS) 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].)

S270140

JONES (JOSHUA CHRISTOPHER) ON H.C.

Petition for writ of habeas corpus denied

S270144

OREGEL (ROBERTO) ON H.C.

Petition for writ of habeas corpus denied

S270156

JACKSON (CHAUNSE M.) ON H.C.

Petition for writ of habeas corpus denied

S270166

DANIELS (NEEKO ORLANDO) ON H.C.

Petition for writ of habeas corpus denied

S270168

PHAN (MINH KHA HOANG) ON H.C.

Petition for writ of habeas corpus denied

S270177

BURTON (ERIC WILTON) ON H.C.

Petition for writ of habeas corpus denied

S270199

SMITH (LAWRENCE CHRISTOPHER) ON H.C.

Petition for writ of habeas corpus denied

S270214

Petition for writ of habeas corpus denied

PORRAS (NEVILLE) ON H.C.**S270218**

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].)

CONDON (DONALD LEE) ON H.C.**S270219**

The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063, 1066 [habeas corpus relief is unavailable where the petitioner is not in the custody of California authorities as a result of the challenged conviction]; *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies].)

TIETJEN (JOSEPH H.) ON H.C.**S270276**

Petition for writ of habeas corpus denied

RODRIGUEZ (PEDRO) ON H.C.**S270296**

The petition for writ of habeas corpus is denied. (See *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].)

JOHNSON (WAYNE) ON H.C.**S270298**

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].)

BOOTH (EDWARD) ON H.C.**S270323**

Petition for writ of habeas corpus denied

DELARA (ANGEL) ON H.C.

S270327**MORRISON (CURTIS LEE)
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].)

S270357**MORALES (JOSE RAMON)
ON H.C.**

Petition for writ of habeas corpus denied

S270358**BOYD (DUANE SCOTT) ON
H.C.**

Petition for writ of habeas corpus denied

S270359**HOMICK (ROBERT T.) 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].)

S270360**MITCHELL (CARL
DWAYNE) ON H.C.**

Petition for writ of habeas corpus denied

S270388**CHATMAN (CHARLES) ON
H.C.**

Petition for writ of habeas corpus denied

S270390**CHAVEZ (DANNY LOPEZ)
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].)

S270403**PIMENTEL (HAROON) ON
H.C.**

Petition for writ of habeas corpus denied

S270405**BELL (RONNIE) 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].)

S270412**LOPEZ (DANIEL PETER) ON H.C.**

Petition for writ of habeas corpus denied

S270419**CABRERA (JUAN ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

S270421**LAMBERT (QUINTON WAYNE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

S270440**HETZEL (JOSEPH A.) ON H.C.**

Petition for writ of habeas corpus denied

S270443**CRAFT (ALONZO) ON H.C.**

Petition for writ of habeas corpus denied

S270445**KHADEMI (DAVOOD) 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].) Individual claims are denied, as applicable. (See *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations]; *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].)

S270457

Petition for writ of habeas corpus denied

ABREU (ARMANDO) ON H.C.

S270458

Petition for writ of habeas corpus denied

**WILLIAMS (SHON
OLIVENTA) ON H.C.**

S270475

Petition for writ of habeas corpus denied

**TEMPLE (LERNARD
ALFONZO) ON H.C.**

S270496

Petition for writ of habeas corpus denied

**CONTRERAS (RAMON) ON
H.C.**

S270502

Petition for writ of habeas corpus denied

CRUZ (JOAQUIN) ON H.C.

S270565

Petition for writ of habeas corpus denied

BLACKMAN (TONY) ON H.C.

S270566

Petition for writ of habeas corpus denied

**CERON (CARLOS ERNESTO)
ON H.C.**

S270572

Petition for writ of habeas corpus denied

**WILLIAMS (JOSEPH
MOSES) ON H.C.**

S271301**WREN (JEFFREY CHARLES)
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].)

S271024

F081597 Fifth Appellate District

**NOBLE (DESIRAE) v. S.C.
(NOBLE)**

Publication ordered (case closed)

As recommended by the Court of Appeal, the Reporter of Decisions is directed to publish the Court of Appeal opinion in the above-entitled matter in the Official Reports. (Cal. Rules of Court, rule 8.1120(c).)

S271047

D077533 Fourth Appellate District, Div. 1

**R. (L.) & A. (K.), MARRIAGE
OF**

Depublication ordered (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed July 27, 2021, which appears at 66 Cal.App.5th 1130. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).) The court declines to review this matter on its own motion. The matter is now final.

S270133

B300638 Second Appellate District, Div. 7

**WATERS (CRYSTAL) v.
KOHL'S DEPARTMENT
STORES, INC.**

Publication request denied (case closed)

S270439

B309188 Second Appellate District, Div. 3

IN RE MASON M.

Publication request denied (case closed)

S270461

F079458 Fifth Appellate District

**KAWEAH DELTA HEALTH
CARE DISTRICT v. RENFRO
(CHRISTOPHER)**

Publication request denied (case closed)

S270915 B304043 Second Appellate District, Div. 5

**STEGER (JASON) v. CSJ
PROVIDENCE ST. JOSEPH
MEDICAL CENTER**

Publication requests denied (case closed)

S270687 B304935 Second Appellate District, Div. 6

**BARRETT DAFFIN
FRAPPIER TREDER &
WEISS, LLP v. SANCHEZ
(HILDA P.)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 20, 2021.

S270762 D078581/D078583 Fourth Appellate District, Div. 1

**RODAS (CRUZ VIDAL
AREVALO) v. DEPARTMENT
OF TRANSPORTATION**

The time for granting or denying review in the above-entitled matter is hereby extended to December 17, 2021.

S270999 G059992 Fourth Appellate District, Div. 3

IN RE N.M.

The time for granting or denying review in the above-entitled matter is hereby extended to December 22, 2021.

S271010 B308818 Second Appellate District, Div. 4

IN RE ADAM E.

The time for granting or denying review in the above-entitled matter is hereby extended to December 22, 2021.

S162506

**PEOPLE v. CHAVEZ (JUAN
JOSE)**

Extension of time granted

Based upon Supervising Deputy State Public Defender Robin Kallman's representation that the appellant's reply brief is anticipated to be filed by March 14, 2022, an extension of time in which to serve and file that brief is granted to January 11, 2022. After that date, only one further extension totaling about 61 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).)

S170293**PEOPLE v. DENNIS (CALVIN
JERMAINE) & INGRAM
(REYON TWAIN)**

Extension of time granted

Based upon Senior Deputy State Public Defender Nerissa J. Huertas' representation that appellant Reyon T. Ingram's reply brief is anticipated to be filed by February 7, 2022, an extension of time in which to serve and file that brief is granted to January 7, 2022. After that date, only one further extension totaling about 30 additional days is contemplated.

S180711**PEOPLE v. KLING
(RANDOLPH CLIFTON)**

Extension of time granted

The application of the Superior Court of Ventura County for an extension of time to prepare, certify for accuracy and send the record as corrected to the California Supreme Court, filed on November 10, 2021, is granted.

The Superior Court of Ventura County is directed to complete and deliver the clerk's and reporter's transcripts on appeal pursuant to California Rules of Court, rule 8.622(e) on or before February 10, 2022.

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

Extension of time granted

Based upon counsel Wesley A. Van Winkle's representation that the appellant's reply brief is anticipated to be filed by July 15, 2022, an extension of time in which to serve and file that brief is granted to January 12, 2022. After that date, only three further extensions totaling about 183 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).)

S182341**PEOPLE v. BUETTNER
(JEFFREE J.) & JONES
(GLEN JOSEPH)**

Extension of time granted

Based upon counsel Joanna McKim's representation that the appellant Glen Joseph Jones' reply brief is anticipated to be filed by February 1, 2022, an extension of time in which to serve and file that brief is granted to January 7, 2022. After that date, only one further extension totaling about 33 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).)

S182341**PEOPLE v. BUETTNER
(JEFFREE J.) & JONES
(GLEN JOSEPH)**

Extension of time granted

Upon application of appellant Jeffree J. Buettner, an extension of time in which to serve and file the appellant's reply brief is granted to January 7, 2022. After that date, only one further extension totaling about 33 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).)

S188156**TAYLOR (BRANDON
ARNAE) ON H.C.**

Extension of time granted

Based upon counsel John Lanahan's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by February 7, 2022, an extension of time in which to serve and file that document is granted to January 7, 2022. After that date, only one further extension totaling about 30 additional days is contemplated.

S204700**THOMAS (REGIS DEON) ON
H.C.**

Extension of time granted

Based upon counsel Samantha B. Jacob's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by September 12, 2022, an extension of time in which to serve and file that document is granted to January 10, 2022. After that date, only about four further extensions totaling about 246 additional days are contemplated.

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 January 14, 2022.

S214388**PEOPLE v. AGUILAR
(JEFFREY)**

Extension of time granted

Based upon Deputy Attorney General J. Michael Lehmann's representation that the respondent's brief is anticipated to be filed by July 13, 2022, an extension of time in which to serve and file that brief is granted to January 14, 2022. After that date, only three further extensions totaling about 179 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).)

S217284**JONES (BRYAN MAURICE)
ON H.C.**

Extension of time granted

Based upon counsel Shelley J. Sandusky's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by April 5, 2022, an extension of time in which to serve and file that document is granted to January 10, 2022. After that date, only two further extensions totaling about 87 additional days are contemplated.

S224393**PEOPLE v. HARTS (TYRONE
LEVOID)**

Extension of time granted

Based upon counsel Rudolph J. Alejo's representation that the appellant's opening brief is anticipated to be filed by June 24, 2022, an extension of time in which to serve and file that brief is granted to January 4, 2022. After that date, only three further extensions totaling about 169 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).)

S226653**PEOPLE v. DUNSON
(ROBERT L.)**

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 January 7, 2022.

S229694**PEOPLE v. RODRIGUEZ
(LUIS JESUS)**

Extension of time granted

Based upon counsel J. Wilder Lee's representation that the appellant's opening brief is anticipated to be filed by October 18, 2022, an extension of time in which to serve and file that brief is granted to January 11, 2022. After that date, only five further extensions totaling about 279 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).)

S233077**PEOPLE v. BROWN
(MICHAEL 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 January 7, 2022.

S266606 C091162 Third Appellate District**PEOPLE v. STRONG
(CHRISTOPHER)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the response to amicus curiae brief is extended to December 16, 2021.

S268682**THATCHER (DAVID
CHARLES) 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 reply to informal response is extended to December 15, 2021.

S269099**GOLDEN STATE WATER
COMPANY v. PUBLIC
UTILITIES COMMISSION**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to the petition for review is extended to January 31, 2022.

S269212 B304217 Second Appellate District, Div. 8**CALIFORNIA MEDICAL
ASSOCIATION v. AETNA
HEALTH OF CALIFORNIA,
INC.**

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 January 25, 2022 .

S269237 B302236 Second Appellate District, Div. 2**PEOPLE v. GRAY
(DONTRAE)**

Extension of time granted

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 December 3, 2021.
No further extensions of time will be contemplated.

S270046**MONTES (MICHAEL) ON
H.C.**

Extension of time granted

On application of non-title respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to December 8, 2021.

S271290 D077381 Fourth Appellate District, Div. 1**GRIFFIN (CHRISTIAN) v.
BLACK MOUNTAIN RANCH,
LLC**

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 to answer to petition for review is extended to November 19, 2021.

S271376**ADAMS (RONALD) ON H.C.**

Extension of time granted

On application of non-title respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to December 16, 2021.

S271493**CALIFORNIA-AMERICAN
WATER COMPANY v.
PUBLIC UTILITIES
COMMISSION**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 31, 2022.

S271499

C094974 Third Appellate District

**PHAM (QUOC HUNG) 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 to the petition for review is extended to November 24, 2021. Petitioner will then have until December 2, 2021, to file a reply. No further extension of time will be contemplated.

S141519**PEOPLE v. HIN (MAO)**

Order filed

Appellant's "Application and Declaration of Good Cause to File an Oversize Supplemental Brief" filed November 9, 2021, is granted. The supplemental respondent's brief must be served and filed within 30 days of the filing of this order. Any supplemental reply brief by the appellant must be served and filed within 30 days of the filing of the supplemental respondent's brief.

S261747

F076295 Fifth Appellate District

PEOPLE v. LOPEZ (PEDRO)

Order filed

Appellant's Motion to Expand Review, filed on October 29, 2021, is denied.

S271299 H048556 Sixth Appellate District

**SUTTON (WALTER JAY) ON
H.C.**

Motion to file document under seal denied

Petitioner's application to file the unredacted petition for review and Exhibit B under seal is denied. The clerk of this court is directed to return the unredacted petition for review lodged conditionally under seal to counsel for petitioner, unless petitioner notifies the clerk in writing within 10 days after the date of this order that the lodged petition for review is to be filed as part of the public record. (See Cal. Rules of Court, rule 8.46(d)(7).)

S271532 B313278 Second Appellate District, Div. 8

**THE ROMAN CATHOLIC
BISHOP OF OAKLAND v. S.C.
(JOHN DOE)**

Order filed

Real parties in interest's application to lodge exhibits in support of the answer to petition for review is hereby granted.

S271220

Petition denied

(accusation)

ACCUSATION OF IRELAND