

**[NO MINUTES WERE GENERATED FOR  
TUESDAY, NOVEMBER 16, 2021.]**

1619

**SUPREME COURT MINUTES  
WEDNESDAY, NOVEMBER 17, 2021  
SAN FRANCISCO, CALIFORNIA**

**S270326** C089555 Third Appellate District

**FAMILY HEALTH CENTERS  
OF SAN DIEGO v. STATE  
DEPARTMENT OF HEALTH  
CARE SERVICES**

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 356, 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.

**S262510** E073498 Fourth Appellate District, Div. 2

**PEOPLE v. MAY (BRETT  
ALAN)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S263830** E072645 Fourth Appellate District, Div. 2

**PEOPLE v. GARRISON  
(TRACY LEEAN)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S263980**      E072781 Fourth Appellate District, Div. 2      **PEOPLE v. CARRERA (TONY MARTINEZ)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S264004**      B301016 Second Appellate District, Div. 6      **PEOPLE v. CORTEZ (JOE EZEQUIEL)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S264319**      B300883 Second Appellate District, Div. 1      **PEOPLE v. MARCUS (ZECOREY LAMONT)**

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).)

**S264345**      E072539 Fourth Appellate District, Div. 2      **PEOPLE v. THOMAS (JAMAR LEVEAL)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S264808**      E073036 Fourth Appellate District, Div. 2      **PEOPLE v. THOMAS (JASON LATRELL)**

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).)

**S265187**      B301690 Second Appellate District, Div. 1      **PEOPLE v. SERVIN (JOSE DANIEL)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S265613**      A159440 First Appellate District, Div. 4      **PEOPLE v. PARKER (DONALD)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S265614**      D075767 Fourth Appellate District, Div. 1      **PEOPLE v. NOWDEN (TERRANCE LAMONT)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S265857**      B304135 Second Appellate District, Div. 6      **PEOPLE v. GONZALES, JR.,  
(REYES)**

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).)

**S265897**      E072711 Fourth Appellate District, Div. 2      **PEOPLE v. OWENS  
(DAMIEN)**

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).)

**S265961**      E072770 Fourth Appellate District, Div. 2      **PEOPLE v. WALTON  
(DEMETRIUS CLAYTON)**

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).)

**S266036**      E072675 Fourth Appellate District, Div. 2      **PEOPLE v. CULPEPPER  
(NORMAN FREDRICK)**

Order filed: holding for new lead case

Review in the above-captioned matter is expanded to include the issue pending in *People v. Strong*, S266606. (See Cal. Rules of Court, rules 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, rule 8.512(d)(2).)

**S271109** C091744 Third Appellate District

**PEOPLE v. ROBINSON  
(THOMAS)**

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. 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.

**S271219** E075808 Fourth Appellate District, Div. 2

**PEOPLE v. SESSION  
(JEROME CORNELL)**

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. 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.

**S267763**

**COURTNEY (DERRICK) ON  
H.C.**

Order to show cause issued; returnable in Court of Appeal, Third Appellate District

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Court of Appeal, Third Appellate District, when the matter is placed on calendar, why petitioner is not entitled to relief based on his claim that his murder conviction must be reversed based on *People v. Chiu* (2014) 59 Cal.4th 155.

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

Votes: Groban, A. C. J., Corrigan, Liu, Kruger, and Jenkins, JJ.

**S271050**      B302413 Second Appellate District, Div. 3      **PEOPLE v. VILLEDA  
(ALLAN)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Three

Defendant's motion filed October 22, 2021, is granted.

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of Penal Code section 1170, subdivision (d)(1), as amended by Assembly Bill 1540 (Stats. 2021, ch. 719). This case does not raise the issue presented in *People v. Federico*, review granted August 26, 2020, S263082, because petitioner Allan Villeda's sentence was not recalled under Penal Code section 1170, subdivision (d).

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

**S271322**      E076063 Fourth Appellate District, Div. 2      **PEOPLE v. NOORDMAN  
(KINZIE)**

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

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of Penal Code section 1170, subdivision (d)(1), as amended by Assembly Bill No. 1540 (Stats. 2021, ch. 719). (Cal. Rules of Court, rule 8.528(d).) This case does not raise the issue presented in *People v. Federico*, review granted August 26, 2020, S263082, because petitioner Kinzie Noordman's sentence was not recalled under Penal Code section 1170, subdivision (d).

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

**S271324**      B307654 Second Appellate District, Div. 4      **PEOPLE v. LOPEZ (JIMMY)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Four

The petition for review is granted, and the matter is transferred to the Court of Appeal, Second Appellate District, Division Four, 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) and *People v. Lewis* (2021) 11 Cal.5th 952.

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

**S107653****PEOPLE v. CRAWFORD  
(CHARLES EDWARD)**

Appeal abated

As indicated in a certified copy of a certificate of death, appellant Charles Edward Crawford died on April 28, 2021. Accordingly, the appeal in *People v. Charles Edward Crawford*, case number S107653, is permanently abated, and the Superior Court of California, County of Alameda is directed to enter an order to that effect in case number H23269. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.) The “Motion to Deem All Proceedings Permanently Abated, Dismiss the Appeal, Vacate the Judgment of Death, and Direct the Superior Court to Enter its Order that All Proceedings Have Permanently Abated,” filed by appellant’s counsel on October 28, 2021, is denied.

**S260558**

G057499 Fourth Appellate District, Div. 3

**PEOPLE v. BAUTISTA (JOSE  
PEDRO)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold

The motion to expand the grant of review is denied.

The motion to remand the above-captioned matter to the Court of Appeal is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of Senate Bill 775 (Stats. 2021, ch. 551) and *People v. Lewis* (2021) 11 Cal.5th 952. (Cal. Rules of Court, rule 8.528(d).)

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

**S263671**

G057539 Fourth Appellate District, Div. 3

**PEOPLE v. PEREZ, JR.,  
(EMILIANO)**

Dismissed and remanded to Court of Appeal, Fourth 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.

**S263809**

C089290 Third Appellate District

**PEOPLE v. OSBAND (LANCE  
I’AN)**

Dismissed and remanded to Court of Appeal, Third Appellate District

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.

**S263939** H047581 Sixth Appellate District **PEOPLE v. SOTO (MARTIN)**  
Dismissed and remanded to Court of Appeal, Sixth Appellate District

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).) As specified by rule 8.1115(e)(2) of the California Rules of Court, pursuant to this order the Court of Appeal's opinion, filed July 9, 2020, which appears at 51 Cal.App.5th 1043, is non-citable and nonprecedential "to the extent it is inconsistent with" our decision in *Lewis*.

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

**S264155** B298586 Second Appellate District, Div. 4 **PEOPLE v. REYES (DAVID ESPERANZA)**

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

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.

**S265054** B299714 Second Appellate District, Div. 3 **PEOPLE v. LARA (JORGE LOPEZ)**

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.

**S265629** B303425 Second Appellate District, Div. 2 **PEOPLE v. PELAYO (SAUL)**  
Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two

The motion for briefing is denied.

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.

**S265722** B302319 Second Appellate District, Div. 2 **PEOPLE v. KING (ALFRED)**  
Dismissed and remanded to Court of Appeal, Second 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.



**S265769**      B299582 Second Appellate District, Div. 2      **PEOPLE v. TORLUCCI  
(ARTHUR)**

Dismissed and remanded to Court of Appeal, Second 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.

**S266888**      A158339 First Appellate District, Div. 4      **PEOPLE v. GAINES (MARY  
LEE)**

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

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.

**S267378**      B305288 Second Appellate District, Div. 2      **PEOPLE v. AMADOR  
(CARLOS M.)**

Transferred to Court of Appeal, Second Appellate District, Division Two, after hold

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Lewis* (2021) 11 Cal.5th 952, 971-972. (Cal. Rules of Court, rule 8.528(d).)

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

**S267458**      B300926 Second Appellate District, Div. 2      **PEOPLE v. LALLIS  
(RICHARD CHARLES)**

Dismissed and remanded to Court of Appeal, Second 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.

**S267733**      B298394 Second Appellate District, Div. 5      **PEOPLE v. GANDARA  
(GUILLERMO HUMBERTO)**

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

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.

**S267782**      B300317 Second Appellate District, Div. 7      **PEOPLE v. MARTINEZ  
(JORGE ESTRADA)**

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

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.

**S270646**      B294686 Second Appellate District, Div. 1      **PATEL (BALUBHAI) v. SU  
(JULIE A.)**

Petition for review & publication request(s) denied

**S270731**      **PEETS (LOUIS) v. STATE  
BAR OF CALIFORNIA**

The petition for writ of mandate is denied as moot.

**S270761**      D076923 Fourth Appellate District, Div. 1      **KIM (ANDY) v. R  
CONSULTING & SALES, INC.**

Petition for review denied

**S270777**      B296235 Second Appellate District, Div. 4      **RANDLE (OTTO) v. CENLAR  
F.S.B.**

Petition for review denied

**S270779**      G060034 Fourth Appellate District, Div. 3      **EXLINE (BRIAN) v.  
GILLMOR (LISA)**

Petition for review denied

**S270785**      A160659 First Appellate District, Div. 4      **SAN FRANCISCO, CITY &  
COUNTY OF v. ALL  
PERSONS INTERESTED IN  
THE MATTER OF  
PROPOSITION G**

Petition for review denied

**S270789**      D079366 Fourth Appellate District, Div. 1      **GUERRERO (JON DAVID) v. S.C. (PEOPLE)**

The petition for review is denied without prejudice to petitioner's filing a petition for a writ of habeas corpus addressing the issue of his mental competence at the time of entry of his guilty plea, as well as any other appropriate claims.

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

**S270849**      B313939 Second Appellate District, Div. 7      **THE ROMAN CATHOLIC BISHOP OF ORANGE v. S.C. (PLAINTIFFS IN CASES COORDINATED IN JCCP 5101)**

Petition for review denied

**S270871**      B297023 Second Appellate District, Div. 7      **ZUNIGA (ROSALINDA) v. ALEXANDRIA CARE CENTER, LLC**

Petition for review & depublication request(s) denied

**S270875**      F080403 Fifth Appellate District      **PEARCE, JR., (EVERETT EARLE) v. BRIGGS, JR., (CHARLES)**

Petition for review denied

**S270903**      B313466 Second Appellate District, Div. 6      **CERVANTES (JORGE) v. S.C. (PEOPLE)**

Petition for review denied

**S270909**      G058189 Fourth Appellate District, Div. 3      **HEDAYATI (MARYAM) v. INTERINSURANCE EXCHANGE OF THE AUTOMOBILE CLUB**

Petition for review & depublication request(s) denied

**S270934**      C090014 Third Appellate District      **PEOPLE v. BHARTH (AMIT)**  
Petition for review denied

**S270936** H045752 Sixth Appellate District

Petitions for review denied

**PEOPLE v. GUERRERO  
(RICHARD)**

**S270942** H048307 Sixth Appellate District  
Petition for review denied

**IN RE ADAN R.**

**S270957** A158228 First Appellate District, Div. 2

The applications of Michael J. Miller and Jeffrey A. Travers to appear as counsel *pro hac vice*, are granted.

**PILLIOD (ALBERTA) v.  
MONSANTO COMPANY**

The petition for review is denied.

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

**S270959** A160337 First Appellate District, Div. 2

Petition for review & depublication request(s) denied

**NOWICKI (PETER J.) v.  
CONTRA COSTA COUNTY  
EMPLOYEES' RETIREMENT  
ASSOCIATION**

**S270962** B302938 Second Appellate District, Div. 6

Petition for review denied

**REES (SHAWN) v.  
AMERICAN SECURITY  
INSURANCE COMPANY**

**S270965** E076674 Fourth Appellate District, Div. 2

Petition for review denied

**AGUINALDO (FERDINAND)  
v. BOARD OF SUPERVISORS  
OF SAN BERNARDINO**

**S270968** F081018 Fifth Appellate District

Petition for review denied

**PEOPLE v. ZUBELDIA (JOSE  
ALONSO)**

**S270977** C094560 Third Appellate District

Petition for review denied

**RUDD (DEREK JAMES) ON  
H.C.**

**S270996** B288686 Second Appellate District, Div. 4

Petition for review denied

**LOS ANGELES COUNTY  
METROPOLITAN  
TRANSPORTATION  
AUTHORITY v. SOUTHERN  
CALIFORNIA GAS  
COMPANY**

**S271005** A158417 First Appellate District, Div. 2

Petition for review & publication request(s) denied

**CHEN (THEO) v. EBAY, INC.**

**S271034** A159585 First Appellate District, Div. 1

Petition for review denied

**PAK (AGNES) v. GITHUB,  
INC.**

**S271098** E074341 Fourth Appellate District, Div. 2

Petition for review denied

**BROWN (NANCIE) v.  
MONTAGE AT MISSION  
HILLS, INC.**

**S271103** B305891 Second Appellate District, Div. 7

Petition for review denied

**BROWN (MANDANA  
KABIRI), ESTATE OF**

**S271107** B311397 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LEE (CORNELIUS  
VON)**

**S271124** B307113 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. LOPEZ, JR.,  
(JAMES)**

**S271127** B306749 Second Appellate District, Div. 6

**PEOPLE v. MEDRANO  
(VINCENT)**

Petition for review denied

**S271169** C094734 Third Appellate District

**BELYEW (LISA) v. S.C.  
(PEOPLE)**

Petition for review denied

**S271184** A159773 First Appellate District, Div. 5

**DANEMAN (DEBORAH &  
ALEX G.), MARRIAGE OF**

Petition for review denied

**S271221** B305184 Second Appellate District, Div. 1

**NASSIR (FARZIN) v. FENG  
(XIAOGANG)**

Petition for review denied

**S271252** B289788 Second Appellate District, Div. 6

**PEOPLE v. CABRERA  
(ALEJANDRO ANTONIO)**

Petitions for review denied

**S271253** E074000 Fourth Appellate District, Div. 2

**PEOPLE v. HARTMAN  
(LARRY LEE)**

Petition for review denied

**S271255** H045860 Sixth Appellate District

**PEOPLE v. GILLEAN  
(BRIAN)**

Petition for review denied

**S271260** A151534 First Appellate District, Div. 1

**PEOPLE v. PHILLIPS (COBY  
JEROME)**

Defendant's motion to file the unredacted petition for review under seal is granted. (Cal. Rules of Court, rules 2.550(d), 8.46(b).) In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(d)(6). The clerk of this court is directed to file the unredacted petition for review under seal.

The petition for review is denied.

**S271263** B302565 Second Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. PRICE (ANDRE)**

**S271269** A163441 First Appellate District, Div. 3  
Petition for review & application for stay denied

**CIVIAN (JEFFREY D.) v. S.C.  
(PEOPLE)**

**S271274** D077994 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. BUSTILLOS  
(ROBERT JOHN)**

**S271275** G058616 Fourth Appellate District, Div. 3  
Petition for review denied

**REDJAI (RAMIN) v.  
BARRETT DAFFIN  
FRAPPIER TREDER &  
WEISS**

**S271284** C089086 Third Appellate District  
Petition for review denied

**PEOPLE v. MAYORGA  
(MARIO MICHAEL)**

**S271294** B308925 Second Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. BAUTISTA  
(CHRISTOPHER)**

**S271297** A163605 First Appellate District, Div. 2  
Petition for review denied

**JIAU (WINIFRED) v. S.C.  
(TENDERLOIN  
NEIGHBORHOOD  
DEVELOPMENT  
CORPORATION)**

**S271302** D076919 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. HARO (ALICIA)**

**S271303** C090915 Third Appellate District

Petition for review denied

**PEOPLE v. BUSTILLOS  
(TINA LOUISE)**

**S271305** A159738 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SIERRA  
(SOCORRO)**

**S271308** E075111 Fourth Appellate District, Div. 2

Petition for review denied

**IN RE J.M.**

**S271327** B311337 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SHALLOWHORN  
(ALFRED EUGENE)**

**S271532** B313278 Second Appellate District, Div. 8

Petition for review & application for stay denied

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

**S271709** A162524 First Appellate District, Div. 3

Petition for review & application for stay denied

**THE ATHLETICS  
INVESTMENT GROUP LLC  
v. CALIFORNIA  
DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL  
(SCHNITZER STEEL  
INDUSTRIES, INC.)**

**S271711** A163291 First Appellate District, Div. 3

Petition for review & application for stay denied

**THE ATHLETICS  
INVESTMENT GROUP LLC  
v. CALIFORNIA  
DEPARTMENT OF TOXIC  
SUBSTANCES CONTROL  
(SCHNITZER STEEL  
INDUSTRIES, INC.)**



**S266424****FLEMINGS (KEVIN  
TYRONE) ON H.C.**

Petition for writ of habeas corpus denied

**S267800****KING (JESSE STEPHEN) 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].)

**S270153****KING (JESSE STEPHEN) 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 Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S270193****KING (JESSE STEPHEN) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S270623****CHAVEZ (EDWIN E.) 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].)

**S270624****WADE (GERALD CURTIS)  
ON H.C.**

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

**S270627****McCARTHY (CRAIG  
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

**S270632****WHEELER (REGINALD) 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].)

**S270669****JONES (MELVIN EDWARD)  
ON H.C.**

Petition for writ of habeas corpus denied

**S270672****LaFORTE (PETER PATRICK)  
ON H.C.**

Petition for writ of habeas corpus denied

**S270685****HOWE (JAMES C.) 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].)

**S270715****JEAN-BAPTISTE (MICHAEL  
JUDE) ON H.C.**

Petition for writ of habeas corpus denied

**S270733****KING (JESSE STEPHEN) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S270735****FERNANDEZ (FRANK J.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S270750****ABARCA (CESAR JULIO) ON  
H.C.**

Petition for writ of habeas corpus denied

**S270795****KAKOWSKI (BRIAN  
EUGENE) 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].)**S270822****RICHARDS (CHARLES E.)  
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].)**S270892****HARVEY (RICKEY LANCE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S270930****DAVIS (KRISTEN WILLIAM)  
ON H.C.**

Petition for writ of habeas corpus denied

**S270935****TOWNSEND (JOSEPH) ON  
H.C.**

Petition for writ of habeas corpus denied

**S270937****ASHANTI (ASKIA SANKOFA)  
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)**S270940****ALVAREZ (RAMIRO JUAN)  
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].)

**S270944****BIRELAS (MOISES ISAAC)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S270947****KELLEY (ROBERT) ON H.C.**

Petition for writ of habeas corpus denied

**S270950****GARCIA (CARLOS TOMAS)  
ON H.C.**

Petition for writ of habeas corpus denied

**S270951****NEVELS (SHANNON  
CORTNEY) ON H.C.**

Petition for writ of habeas corpus denied

**S270953****NASHINEH (ROBERT  
MICHAEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S270981****ALLEN (CORNELL  
ARTHUR) ON H.C.**

Petition for writ of habeas corpus denied

**S271009****TOWNSEND (JOSEPH) ON  
H.C.**

Petition for writ of habeas corpus denied

**S271105****VARGAS (OSCAR E.) 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].)

**S271381****KAKOWSKI (BRIAN  
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

**S270539** C086890 Third Appellate District**BERG (MICHAEL) v. PULTE  
HOME CORPORATION**

Publication request denied (case closed)

**S270660** B308099 Second Appellate District, Div. 1**328 MAPLE LIMITED  
PARTNERSHIP v.  
CALIFORNIA CAPITAL  
INSURANCE COMPANY**

Publication request denied (case closed)

**S270882** A159679 First Appellate District, Div. 2**PEOPLE v. RODRIGUEZ  
(VANESSA S.)**

The request for an order directing depublication of the opinion in the above-entitled appeal is denied. The court declines to review this matter on its own motion. The matter is now final.

**S270905** B296487 Second Appellate District, Div. 7**PRIME HEALTHCARE LA  
PALMA, LLC v. KAISER  
FOUNDATION HEALTH  
PLAN, INC.**

Publication requests denied (case closed)

**S271309** F081389 Fifth Appellate District**LOS ANGELES  
DEPARTMENT OF WATER  
& POWER v. COUNTY OF  
INYO**

Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied. The court declines to review this matter on its own motion. The matter is now final.

**S271084** B308299 Second Appellate District, Div. 8 **IN RE DESTINY V.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2021.

**S271085**      D079278 Fourth Appellate District, Div. 1      **ROSS (CHRISTOPHER) v.  
S.C. (COUNTY OF  
RIVERSIDE)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2021.

**S271086**      D076869 Fourth Appellate District, Div. 1      **TAYLOR (WILL) v.  
FINANCIAL CASUALTY &  
SURETY, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2021.

**S271091**      B313865 Second Appellate District, Div. 3      **FORD MOTOR WARRANTY  
CASES**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2021.

**S271097**      F081725 Fifth Appellate District      **IN RE N.N.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 23, 2021.

**S271143**      A161702 First Appellate District, Div. 2      **IN RE K.R.**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2021.

**S271168**      B315096 Second Appellate District, Div. 2      **USA TODAY v. S.C. (SPEARS)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 30, 2021.

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

Order filed

Due to clerical error, the order filed on November 10, 2021, granting the petition for review with further action deferred, is hereby amended to show the following participation.

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

**S270938**

Petition denied

(accusation)

**ACCUSATION OF RAUDA**

**S270933**

Petition for review denied; recommended discipline imposed – JAMES JOHN ARMSTRONG

**ARMSTRONG ON  
DISCIPLINE**

Fourth Appellate District, Div. 2      **TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division One:

1. E077002      In re the Marriage of Jordana and John Hoffman, Jr.
2. E077690      People v. Jesse Orosco
3. E077624      People v. Bobby Collins
4. E077616      People v. John Singeltery
5. E077578      People v. Antonio Armas
6. E077363      People v. Steven Bethell
7. E077277      People v. Jose Dominguez
8. E077350      Caru Society for the Prevention of Cruelty to Animals v. Dick Van Dam Dairy et al.



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
DECEMBER 7, 2021**

**Due to the COVID-19 coronavirus pandemic and related public health directives from state and local authorities, the procedures specified by Administrative Orders Nos. 2020-3-13 (Mar. 16, 2020), 2020-03-27 (March 27, 2020), and 2020-08-19 (August 19, 2020) apply. Counsel will appear remotely and courtroom seating for the press will be strictly limited to achieve appropriate distancing. The public will continue to have access to argument via live-streaming on the judicial branch website: <http://www.courts.ca.gov/>.**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on December 7, 2021.

**TUESDAY, DECEMBER 7, 2021 — 9:00 A.M.**

- (1) Berroteran (Raul II) v. Superior Court of Los Angeles County (Ford Motor Company, Real Party in Interest), S259522  
*(justice pro tempore to be assigned)*
- (2) Lopez (Marisol) v. Ledesma (Glenn) et al., S262487  
*(justice pro tempore to be assigned)*
- (3) Sheen (Kwang K.) v. Wells Fargo Bank, N.A., S258019  
*(justice pro tempore to be assigned)*

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CANTIL-SAKAUYE

*Chief Justice*

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)