

**SUPREME COURT MINUTES  
WEDNESDAY, SEPTEMBER 29, 2021  
SAN FRANCISCO, CALIFORNIA**

**S251135****BUSKER (JOHN) v. WABTEC  
CORPORATION**

Rehearing denied

**S253574****MENDOZA (LEOPOLDO  
PENA) v. FONSECA  
McELROY GRINDING CO.,  
INC.**

Rehearing denied

**S269975**      C090009 Third Appellate District**PEOPLE v. ROESSLER  
(MICHAEL LEE)**

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. Tirado*, S257658 (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.

**S270348**      B306037 Second Appellate District, Div. 4**PEOPLE v. ZUNIGA (PEDRO  
HUERTA)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S270498** H047991 Sixth Appellate District  
Petition for review granted; briefing deferred

**R. (C.) ON H.C.**

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Mohammad*, S259999 (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.

**S270510** B305259 Second Appellate District, Div. 5

**PEOPLE v. HULBERT  
(REUEL)**

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. Lopez*, S258175 (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.

**S270513** H047709 Sixth Appellate District

**PEOPLE v. PINEDA (SERGIO  
TIMOTHY)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S270524** H047989 Sixth Appellate District  
Petition for review granted; briefing deferred

**GUICE (STEPHEN) ON H.C.**

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Mohammad*, S259999 (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.

**S270553** H046550 Sixth Appellate District**PEOPLE v. HOANG (HAN QUOC)**

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. Tirado*, S257658 (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.

**S270555** D077778 Fourth Appellate District, Div. 1**PEOPLE v. ARIAS (SERGIO ROJAS)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S270035** C094401 Third Appellate District**PERIMAN (ALLEN JOHN) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District, with directions to issue an order to show cause

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying the petition for writ of mandate and to issue an order directing respondent to show cause why the relief sought in the petition should not be granted.

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

**S270307** F082436 Fifth Appellate District**VEGA (JUAN PABLO) v. S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District, with directions to issue an alternative writ

Defendant's application to file the unredacted petition for review and Exhibits 1-9 under seal is granted. (Cal. Rules of Court, rules 2.550(d), 8.46(b), 8.47.) 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 and accompanying exhibits under seal.

The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its order denying mandate and to issue an alternative writ as to defendant's claim that ancillary service funding for a correctional expert is necessary to prepare and present a defense.

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

**S262309**      B298813 Second Appellate District, Div. 4      **PEOPLE v. ALVAREZ  
(EFREN)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S262657**      B299047 Second Appellate District, Div. 4      **PEOPLE v. BROWN (ANDRES  
MANNER)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S264645**      C089978 Third Appellate District      **PEOPLE v. McCOY (AARON  
DESHAWN)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S265913**      B300328 Second Appellate District, Div. 5      **PEOPLE v. AREMU (TONY  
OLIVER)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S267319**      B301114 Second Appellate District, Div. 2      **PEOPLE v. ARANDA  
(GUADALUPE ACOSTA)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S267425**      F079794 Fifth Appellate District      **PEOPLE v. BROOKS, JR.,  
(ROWAN CROSBY)**

Dismissed and remanded to Court of Appeal, Fifth 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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S267729**      B301521 Second Appellate District, Div. 7      **PEOPLE v. BONDS (ANDREW  
LAMONT)**

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S267743**      B306079 Second Appellate District, Div. 1      **PEOPLE v. CHAVEZ (JERRY  
A.)**

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

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, Cuéllar, Kruger, Groban, and Jenkins, JJ.

**S252285**      **GUZMAN (ANTHONY) ON  
CLEMENCY**

Clemency file returned, no action taken

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Commutation File of Anthony Guzman, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Commutation File of Anthony Guzman, as received by the court on that date. (Cal. Rules of

Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records, a substantial probability exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted version of the record available for public inspection upon request.

Groban, J., was recused and did not participate.

**S269400**

**MITCHELL (KENYATTA  
QUINN) v. S.C. (PEOPLE)**

The petition for writ of mandate is denied. (See *Sherwood v. Superior Court* (1979) 24 Cal.3d 183.)

**S269868** F082100 Fifth Appellate District

**IN RE JOSHUA S.**

The petition for review is denied.

Concurring Statement by Justice Liu

When a child is removed from a parent's or guardian's custody, Welfare and Institutions Code section 361.5, subdivision (a)(1) says the juvenile court "shall" order that the parent or guardian receive reunification services. (All statutory references are to the Welfare and Institutions Code.) These services are intended " 'to eliminate the conditions leading to the loss of custody' " and to further " 'the goal of preservation of family, whenever possible.' " (*Renee J. v. Superior Court* (2001) 26 Cal.4th 735, 744.) The goal of reunification extends beyond the parent's interest in "actual physical custody" and includes "exploring ways of protecting the 'parent[']s interest in the companionship, care, custody, and management of his [or her] children.' " (*In re Monica C.* (1995) 31 Cal.App.4th 296, 308, 309.)

The mandate to provide reunification services is subject to a few caveats. First, section 361.5, subdivision (a)(1) contains three exceptions relating to when the parent or guardian is uninterested in reunification services or when reunification services have already been terminated under the juvenile court's delinquency jurisdiction.

Second, section 361.5, subdivision (b) provides a separate list of 17 statutory bypass provisions under which the juvenile court "need not" order reunification services. Some of these exceptions are premised on a finding of criminal wrongdoing, including where "the parent or guardian of the child has been convicted of a violent felony," "the parent or guardian has been required by the court to be registered on a sex offender registry," or "the parent or guardian knowingly participated in, or permitted, the sexual exploitation . . . of the child." (§ 361.5, subd. (b)(12), (16) & (17).)

Third, section 361.5, subdivision (e) contains a bypass procedure for a parent or guardian who is “incarcerated, institutionalized, or detained by the United States Department of Homeland Security, or has been deported to the parent’s or guardian’s country of origin.” (§ 361.5, subd. (e)(1).) For these parents and guardians, the juvenile court is authorized to deny reunification services if it finds by “clear and convincing evidence” that “those services would be detrimental to the child.” (*Ibid.*) In making that determination, the juvenile court “shall consider” factors such as “the length of the sentence,” “the nature of the crime,” and “the likelihood of the parent’s discharge from incarceration . . . .” (*Ibid.*)

Here, C.S. (hereafter Mother) faced several criminal charges at the time of the disposition hearing, and she was in custody pending trial due to an inability to post bail. None of the charges appears to fall within the 17 bypass provisions set forth in section 361.5, subdivision (b). Because she was in custody, however, the juvenile court deemed Mother to be an “incarcerated” parent under section 361.5, subdivision (e)(1). After considering the age of the children, the relationship between the children and Mother, and the nature of the charges, the court determined that reunification services would be detrimental to her children and denied Mother all reunification services.

Mother’s petition raises a question of statutory interpretation. She argues that the term “incarcerated” in section 361.5, subdivision (e)(1) should include only those who have been convicted and sentenced to a period of incarceration. The Court of Appeal rejected this argument, relying on *Edgar O. v. Superior Court* (2000) 84 Cal.App.4th 13. The court in *Edgar O.* explained that the term “incarcerated” plainly means “jailed” (*id.* at p. 17) and that “the obvious purpose of section 361.5, subdivision (e)(1) . . . is to address reunification services in cases where parents are not at liberty to come and go or to schedule activities as they please” (*id.* at p. 18).

Our denial of review today expresses no view on the proper reading of the statute. I write to call attention to a separate issue not directly raised by Mother’s petition: whether the statutory scheme, as construed by the Court of Appeal, violates principles of equal protection.

Under the scheme, there are at least two ways in which parents who cannot post bail are treated differently from those who can. First, only parents who are in custody pending trial are subject to a “detriment” analysis (§ 361.5, subd. (e)(1)) that could potentially result in the denial of all reunification services. By contrast, assuming none of the other statutory exceptions apply, a parent who faces the exact same charges but is able to post bail remains entitled to the provision of reunification services under section 361.5, subdivision (a)(1).

Second, only parents who are in custody pending trial are subject to the juvenile court’s consideration of their moral culpability based on unadjudicated criminal charges. Once the door to a “detriment” analysis is opened, the juvenile court is directed to consider factors like “the nature of the crime” and “the likelihood of the parent’s discharge from incarceration.” (§ 361.5, subd. (e)(1).) The listing of these factors invites the juvenile court to consider the parent’s culpability or likelihood of guilt when determining if reunification services should be provided at all. This door can be opened solely by dint of a parent’s inability to afford bail, whereas it would

stay shut if he or she could post bail.

In other words, for a parent who is able to afford bail, “the nature of the crime” or “the length of the sentence” cannot serve as reasons for denying reunification services; there is no exception from section 361.5, subdivision (a)(1)’s mandate of reunification services that authorizes such consideration. (See *Simmons v. Ghaderi* (2008) 44 Cal.4th 570, 587 [where “the Legislature provided express exceptions” in a statute, “ ‘ “we may not imply additional exemptions unless there is a clear legislative intent to the contrary” ’ ”].) At most, those factors can inform what types of services may be appropriate. By contrast, for a parent who faces the exact same charges but cannot afford bail, a juvenile court may consider the nature of the charges and the parent’s potential culpability in deciding not only what types of services may be appropriate but also whether to deny reunification services altogether.

Mother’s case demonstrates how this statutory scheme can operate to deny parents or guardians reunification services altogether. The fact that Mother was in custody pending trial prompted an inquiry into whether reunification services would be “detrimental to the child.” (§ 361.5, subd. (e)(1).) The juvenile court pursued this inquiry by considering the factors stated in the statute and, expressly noting that the “[n]ature of the crime [was] concerning,” denied Mother all reunification services. If Mother had been able to post bail, the nature of the charges could only have informed what kind of reunification services she would be provided, not whether she would be provided any services at all.

Although some Courts of Appeal have rejected equal protection challenges to this statutory scheme, those decisions have not addressed the specific forms of discrimination described above. The courts have reasoned that any disparate treatment is rationally related to the government’s legitimate interest in finding permanent placements for children within a limited timeframe, which is made more difficult when a parent is confined. (See *In re J.M.* (May 22, 2015, A142654) [nonpub. opn.]; *In re T.M.* (July 8, 2015, A142643) [nonpub. opn.].) But even if factors such as “the nature of the crime” and “the length of the sentence” facing the parent are rational considerations in determining the best placement for a child, I find it troubling that a court could consider such factors in denying reunification services altogether in the case of a parent who cannot afford bail, when the court could not deny reunification services based on such factors in the case of a parent who faces the exact same charges but can afford bail.

“The common practice of conditioning freedom solely on whether an arrestee can afford bail is unconstitutional,” and “[t]he disadvantages to remaining incarcerated pending resolution of criminal charges are immense and profound.” (*In re Humphrey* (2021) 11 Cal.5th 135, 143, 147.) Such disadvantages include the possible termination of parental rights. Whether principles of equal protection permit disparate treatment in the provision of reunification services to parents who can afford bail and those who cannot is an issue that courts may need to resolve. Alternatively, the Legislature may wish to reconsider the statute in light of the potential unfairness it creates. Among other options, the statute could be amended to ensure that parents and guardians facing criminal charges are treated the same, regardless of whether they can afford bail. More specifically, the Legislature could make clear that in the case of parents in pretrial custody



solely because of an inability to afford bail, juvenile courts may consider the factors specified in section 361.5, subdivision (e)(1) to decide what types of reunification services are appropriate, but may not consider such factors to deny reunification services altogether.

LIU, J.

I Concur:  
CUÉLLAR, J.

**S270030**      D077620 Fourth Appellate District, Div. 1  
Petition for review denied

**SORENSEN (ANN) v. TRAN  
(THU DUNG)**

**S270056**      C092459 Third Appellate District  
Petition for review denied

**PEOPLE v. POWELL  
(JEFFREY DEWAYNE)**

**S270063**      G058817 Fourth Appellate District, Div. 3  
Petition for review & publication request(s) denied

**YEBBA (JOSHUA) v. AHMC  
HEALTHCARE INC.**

**S270067**      H044371 Sixth Appellate District

**HEWLETT-PACKARD  
COMPANY v. ORACLE  
CORPORATION**

The requests of William A. Isaacson, Karen L. Dunn, and Robert S. Frank, Jr., to appear as counsel pro hac vice, are granted.

The petition for review is denied.

Cuéllar, J., was recused and did not participate.

**S270075**      G058393 Fourth Appellate District, Div. 3

**HORNER (NANCY M.) v. THE  
BANK OF NEW YORK  
MELLON**

The request for judicial notice is granted.

The petition for review is denied.

**S270087**      H048342 Sixth Appellate District

**S.C. v. COUNTY OF  
ALAMEDA**

Petition for review denied

- S270100** B303011 Second Appellate District, Div. 4 **VELIS (WILLIAM) v. AT&T SERVICES, INC.**  
Petition for review denied
- S270161** B306632 Second Appellate District, Div. 3 **PEOPLE v. MARTY (LYKEEM NEFTALI)**  
Petition for review denied
- S270163** C090833 Third Appellate District **ALLUM (EDWARD) v. SAN JOAQUIN COUNTY EMPLOYEES' RETIREMENT ASSOCIATION**  
Petition for review denied
- S270178** F076745 Fifth Appellate District **PEOPLE v. BISHOP (TREVOR JIM)**  
Petition for review denied
- S270180** G058480/G058709 Fourth Appellate District, Div. 3 **LEVANOFF (CHRISTOPHER) v. DRAGAS (MATTHEW)**  
Petition for review denied; CA opinion decertified
- The petition for review is denied.  
The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed June 25, 2021, which appears at 65 Cal.App.5th 1079. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125.)
- S270252** G060136 Fourth Appellate District, Div. 3 **PEOPLE v. NGUYEN (LINH THY)**  
Petition for review denied
- S270289** **KIHAGI (ANNE) v. S.C. (CITY & COUNTY OF SAN FRANCISCO)**  
Petition for writ of certiorari denied

<b>S270299</b>	E076649 Fourth Appellate District, Div. 2	<b>PULIDOCOLMENERO (JORGE ALEJANDRO) ON H.C.</b>
Petition for review denied		
<b>S270300</b>	A159363/A159433 First Appellate District, Div. 1	<b>IN RE IAN H.</b>
Petition for review denied		
<b>S270304</b>	B303771 Second Appellate District, Div. 1	<b>CANNISTRACI (STEVEN DOUGLAS) v. CITY OF LOS ANGELES</b>
Petition for review denied		
<b>S270321</b>	B295666 Second Appellate District, Div. 4	<b>BRILEY (JASON) v. CITY OF WEST COVINA</b>
The petition for review is denied. The request for an order directing partial depublication of the opinion is denied.		
<b>S270330</b>	B308003 Second Appellate District, Div. 6	<b>IN RE R.R.</b>
Petition for review denied		
<b>S270364</b>	C090626 Third Appellate District	<b>PEOPLE v. GUERRERO (VICTOR)</b>
Petition for review denied		
<b>S270378</b>	C087974 Third Appellate District	<b>PEOPLE v. RODRIGUEZ (JESUS ALBERTO)</b>
Petition for review denied		
<b>S270394</b>	C082948 Third Appellate District	<b>DRESSER (WILLIAM C.) v. HIRAMANNEK (ADIL)</b>
Petition for review denied		

<b>S270398</b>	B299897 Second Appellate District, Div. 2	<b>HILLAIR CAPITAL INVESTMENTS LP v. WEST (KIM KARDASHIAN)</b>
Petition for review denied		
<b>S270402</b>	D078364 Fourth Appellate District, Div. 1	<b>PEOPLE v. RAMIREZ (RAUL ENRIQUE)</b>
Petition for review denied		
<b>S270460</b>	E077275 Fourth Appellate District, Div. 2	<b>U.S. REAL ESTATE CREDIT HOLDINGS III-A, L.P. v. S.C. (RUBIN)</b>
Petition for review denied		
<b>S270463</b>	E075995 Fourth Appellate District, Div. 2	<b>PEOPLE v. GARCIA (DAMIAN)</b>
Petition for review denied		
<b>S270479</b>	D076708 Fourth Appellate District, Div. 1	<b>MAI (HUE THI DANG) v. HKT CAL, INC.</b>
Petition for review denied		
<b>S270495</b>	E074890 Fourth Appellate District, Div. 2	<b>PEOPLE v. GRANTHAM (ANTHONY SCOTT)</b>
Petition for review denied		
<b>S270500</b>	D079246 Fourth Appellate District, Div. 1	<b>KISTLER (BRYAN) ON H.C.</b>
Petition for review denied		
<b>S270504</b>	D078348 Fourth Appellate District, Div. 1	<b>PEOPLE v. DUNSMORE (DARRYL)</b>
Petition for review denied		
<b>S270511</b>	E075960 Fourth Appellate District, Div. 2	<b>PEOPLE v. SHAW (JOHNNY)</b>
The request for judicial notice is granted. The petition for review is denied.		

<b>S270517</b>	C089437 Third Appellate District	<b>PEOPLE v. RILEY (WOODROW CLIFTON)</b>
Petition for review denied		
<b>S270519</b>	G058966 Fourth Appellate District, Div. 3	<b>PEOPLE v. ZARAGOZA (GILBERTO FUENTES)</b>
Petition for review denied		
<b>S270520</b>	A156498 First Appellate District, Div. 3	<b>PEOPLE v. LAVAKI (LATU KAMISESE)</b>
Petition for review denied		
<b>S270522</b>	B305380 Second Appellate District, Div. 3	<b>BEHREND (DAVID &amp; ILLANA), MARRIAGE OF</b>
Petition for review denied		
<b>S270527</b>	B303051 Second Appellate District, Div. 7	<b>PEOPLE v. AGUIRRE (JOSHUA IVAN)</b>
Petition for review denied		
<b>S270529</b>	C090931 Third Appellate District	<b>PEOPLE v. DHILLON (NIRVAIR SINGH)</b>
Petition for review denied		
<b>S270530</b>	B299440 Second Appellate District, Div. 7	<b>PEOPLE v. SWAIN (CAMERON ONEIL)</b>
Petition for review denied		
<b>S270531</b>	B304917 Second Appellate District, Div. 4	<b>PEOPLE v. McCLENTON (JOVAN)</b>
Petition for review denied		
<b>S270533</b>	C090808 Third Appellate District	<b>PEOPLE v. CURRY (RYAN INDIANA)</b>
Petition for review denied		

<b>S270550</b>	B303752 Second Appellate District, Div. 2	<b>PEOPLE v. BALBUENA (JOHNNY)</b>
Petition for review denied		
<b>S270551</b>	C089644 Third Appellate District	<b>PEOPLE v. FRANKLIN (CHRISTOPHER M.)</b>
Petition for review denied		
<b>S270554</b>	F080978 Fifth Appellate District	<b>PEOPLE v. SCHULZ (STEPHEN RAY)</b>
Petition for review denied		
<b>S270562</b>	F081652 Fifth Appellate District	<b>PEOPLE v. TYLER (GEORGE)</b>
Petition for review denied		
<b>S270569</b>	B308596 Second Appellate District, Div. 6	<b>PEOPLE v. DIRKSEN (PETER JEREMY)</b>
Petition for review denied		
<b>S270574</b>	D077624 Fourth Appellate District, Div. 1	<b>PEOPLE v. NIETO (JOSE)</b>
Petition for review denied		
<b>S270576</b>	C092250 Third Appellate District	<b>PEOPLE v. MARTINEZ (MICHELLE L.)</b>
Petition for review denied		
<b>S270579</b>	A158935 First Appellate District, Div. 1	<b>PEOPLE v. JACKSON (GEORGIE MICHELLE)</b>
Petition for review denied		
<b>S270584</b>	H047415 Sixth Appellate District	<b>PEOPLE v. FERNANDEZ (JOAQUIN RUIZ)</b>
Petition for review denied		

<b>S270600</b>	E075238 Fourth Appellate District, Div. 2	<b>PEOPLE v. JOHNSON, JR., (JESSIE)</b>
Petition for review denied		
<b>S270604</b>	B306059 Second Appellate District, Div. 2	<b>PEOPLE v. HAYDEN (ROBERT MICHAEL)</b>
Petition for review denied		
<b>S270606</b>	C087638 Third Appellate District	<b>IN RE J.G.</b>
Petition for review denied		
<b>S270682</b>	G059427 Fourth Appellate District, Div. 3	<b>PEOPLE v. HENDERSON (JENNIFER LYNN)</b>
Petition for review denied		
<b>S270838</b>	B304412 Second Appellate District, Div. 6	<b>IN RE N.M.</b>
Petition for review denied		
<b>S270963</b>	B314905 Second Appellate District, Div. 7	<b>FINK (DAVID) v. S.C. (PEOPLE)</b>
Petition for review & application for stay denied		
<b>S271087</b>		<b>SANAI (CYRUS M.), IN RE</b>
Petition for review & application for stay denied		
<b>S271092</b>	E077736 Fourth Appellate District, Div. 2	<b>GARCIA (ADAM EMMANUEL) v. S.C. (PEOPLE)</b>
Petition for review & application for stay denied		
<b>S268999</b>		<b>UNDERWOOD (BRYANT K.) ON H.C.</b>
Petition for writ of habeas corpus denied		

**S269385****BoWELL (JAMES) 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].)

**S269386****HASHEMI (SEYED BEHZAD)  
ON H.C.**

Petition for writ of habeas corpus denied

**S269387****SCANLAN (SEAN JOSEPH)  
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].)

**S269389****WOLHFORD (DARRYL N.)  
ON H.C.**

Petition for writ of habeas corpus denied

**S269391****TAYLOR (ARTHUR) 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]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

**S269396****MOTTON (EDWARD JAMES)  
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 Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *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 Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)



**S269409****WILLIAMS (ANTHONY  
MAURICE) 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].)

**S269410****AGUILAR, SR., (REYES  
DIAZ) ON H.C.**

Petition for writ of habeas corpus denied

**S269437****PICHARDO (MARIO  
ALBERTO) ON H.C.**

Petition for writ of habeas corpus denied

**S269499****CEPEDA (RUBEN  
ANTHONY) 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].)

**S269530****DIAZ, SR., (RONALD  
CARLOS) 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].)

**S269614****GLASGOW (CHRISTOPHER  
N.) ON H.C.**

Petition for writ of habeas corpus denied

**S269615****BROOKS, JR., (ARTHUR) ON  
H.C.**

Petition for writ of habeas corpus denied

**S269634****TOSCANO (ADRIAN) ON  
H.C.**

Petition for writ of habeas corpus denied

**S269640****CLARK (ALPHONSO) 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 Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

**S269648****HERNANDEZ (ENRIQUE) 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].)

**S269675****STEWART (TRACY LEE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S269759****HUBBELL (RICHARD LEE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S269762****GERONIMO (ABRAHAM) ON  
H.C.**

Petition for writ of habeas corpus denied

**S269765****BROWN (JOHN  
CHRISTOPHER) 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].)

**S269783****CASTILLO (CHRISTIAN L.)  
ON H.C.**

Petition for writ of habeas corpus denied

**S269787****OLIVER (TREMAINE D.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S269349** B304119 Second Appellate District, Div. 7**AHERN (THOMAS) v.  
CHICAGO TITLE COMPANY**

Publication request denied (case closed)

**S270139** B305779 Second Appellate District, Div. 3**PEOPLE v. ROBLES (JOSE  
LUIS)**

Publication request denied (case closed)

**S267912****RACKLEY (LOY LOUIS) ON  
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to October 14, 2021.

**S270603** F082823 Fifth Appellate District**S. (M.) v. S.C. (PEOPLE)**

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 October 15, 2021. Petitioner may file a reply to answer to petition for review on or before October 25, 2021.

No further requests for extension of time will be granted.

**S252271****WONG (ELAINE) ON  
CLEMENCY**

Motion to file document under seal granted

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Commutation File of Elaine Wong, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Commutation File of Elaine Wong, as received by the court on that date. (Cal. Rules of Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records; a substantial probability

exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted version of the record available for public inspection upon request.  
Groban, J., was recused and did not participate.

**S252277****HARRIS (JAMES) ON  
CLEMENCY**

Motion to file document under seal granted

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Commutation File of James Harris, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Commutation File of James Harris, as received by the court on that date. (Cal. Rules of Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records; a substantial probability exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted version of the record available for public inspection upon request.  
Groban, J., was recused and did not participate.

**S252279****RODRIGUEZ (RAMON) ON  
CLEMENCY**

Motion to file document under seal granted

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Commutation File of Ramon Rodriguez, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Commutation File of Ramon Rodriguez, as received by the court on that date. (Cal. Rules of Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records; a substantial probability exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted version of the record available for public inspection upon request.  
Groban, J., was recused and did not participate.

**S252284****FLOWERS (RICHARD) ON  
CLEMENCY**

Motion to file document under seal granted

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Commutation File of Richard Flowers, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Commutation File of Richard Flowers, as received by the court on that date. (Cal. Rules of Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records; a substantial probability exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted version of the record available for public inspection upon request.

Groban, J., was recused and did not participate.

**S255392****BURTON (SUSAN H.) ON  
CLEMENCY**

Motion to file document under seal granted

The Governor's "Motion to Seal Clemency Record" is granted. The Clerk of this court is directed to file under seal the unredacted version of the Pardon File of Susan H. Burton, lodged conditionally under seal in this court on July 7, 2021, and to file the redacted / public version of the Pardon File of Susan H. Burton, as received by the court on that date. (Cal. Rules of Court, rule 8.46.)

The court hereby finds that on the facts of this case overriding interests exist that overcome the right of public access to these records, to wit, interests as set forth in this court's Administrative Order 2021-05-26; these overriding interests support sealing the records; a substantial probability exists that the overriding interests will be prejudiced if the records are not sealed; the proposed sealing is narrowly tailored; and no less restrictive means exist to achieve the overriding interests. (Cal. Rules of Court, rules 2.550(d)-(e), 8.46(d)(6).) The Clerk shall make the redacted / public version of the record available for public inspection upon request.

**S270532****ACCUSATION OF AKIYAMA**

Petition denied (accusation)

**S270556****ACCUSATION OF AKIYAMA**

Petition denied (accusation)