

**SUPREME COURT MINUTES  
WEDNESDAY, JANUARY 18, 2023  
SAN FRANCISCO, CALIFORNIA**

**S277072**      D079716 Fourth Appellate District, Div. 1      **TELLEZ (VICTOR RAUL) ON  
H.C.**

Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 84 Cal.App.5th 292, 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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277322**      B315593 Second Appellate District, Div. 3      **PEOPLE v. DOWNS (DAVID)**  
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. Gray*, S269237 (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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277569**      F082109 Fifth Appellate District      **PEOPLE v. WILLIAMS  
(CAMPER)**

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. Lynch*, S274942 (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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277573** F080436 Fifth Appellate District

**PEOPLE v. WATKINS  
(CHRISTOPHER)**

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. Salazar*, S275788 (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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277633** B317366 Second Appellate District, Div. 4 **IN RE M.G.**

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 Dezi C.*, S275578 (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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277686** C091113 Third Appellate District

**PEOPLE v. KILGORE  
(LONNIE CHARLES)**

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. Burgos*, S274743 (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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

**S277673** A165046 First Appellate District, Div. 2

**SIDNEY, JR., (CHARLES) v.  
RILEY (DANA)**

Review granted on the court's own motion; transferred to Court of Appeal, First Appellate District, Division Two

At the request of the Court of Appeal, review is ordered on this court's own motion. The cause is transferred to the Court of Appeal, First Appellate District, Division Two, for further proceedings. (Cal. Rules of Court, rule 8.528(d).)

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

**S277731** A163883 First Appellate District, Div. 5

**PEOPLE v. CAMARILLO  
(JESUS)**

Petition for review granted; transferred to Court of Appeal, First Appellate District, Division Five

The request for judicial notice is granted.

The petition for review is granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of Assembly Bill No. 2361 (Stats. 2022, ch. 330). (Cal. Rules of Court, rule 8.528(d).)

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

**S277054** C093376 Third Appellate District

**PEOPLE v. GOODING  
(JAMAAL DARRIS)**

Petition for review denied

**S277193** H050339 Sixth Appellate District

**GARCIA (RICHARD) v. S.C.  
(LOPEZ)**

Petition for review denied

**S277205**

**EISENACHER (KRISTINA) v.  
S.C. (HODGIN)**

Petition for writ of mandate/prohibition denied

**S277227** H050493 Sixth Appellate District

**NOLEN (MIA) v. S.C. (FUNK)**

Petition for review denied

**S277255**

**LOPEZ (ARTHUR) v. COURT  
OF APPEAL, FOURTH  
APPELLATE DISTRICT,  
DIVISION THREE (IRVINE  
COMPANY, LLC)**

Petition for writ of mandate/prohibition denied

- S277266** A162524 First Appellate District, Div. 3 **ATHLETICS INVESTMENT GROUP LLC v. DEPARTMENT OF TOXIC SUBSTANCES CONTROL (SCHNITZER STEEL INDUSTRIES, INC.)**  
Petition for review denied
- S277269** B321792 Second Appellate District, Div. 1 **OSMAN (TERRENCE J.) v. S.C. (TRETТА)**  
Respondent Mia Tretta’s request for judicial notice, filed November 17, 2022, is granted. The petition for review and application for stay are denied.
- S277292** B306197/B306622 Second Appellate District, Div. 8 **TODAY’S IV, INC. v. LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**  
Petition for review denied
- S277312** B308360 Second Appellate District, Div. 1 **ZEIDENFELD (ALVIN) v. STETLER (DAVID)**  
Petition for review denied
- S277318** G060623 Fourth Appellate District, Div. 3 **PEOPLE v. AGATON (SALVADOR DIRCEO)**  
Petition for review denied
- S277323** E077321 Fourth Appellate District, Div. 2 **PEOPLE v. HERNANDEZ (ROBERT CHRISTIAN)**  
Petition for review denied
- S277328** C095890 Third Appellate District **PEOPLE v. BENAVIDEZ (JAIME ENRIQUE)**  
Petition for review denied

**S277333** D080417 Fourth Appellate District, Div. 1

The request for judicial notice is denied.  
The petition for review is denied.

**PEOPLE v. WOODS  
(EARNEST C.)**

**S277337** F081294 Fifth Appellate District

Petition for review denied

**PEOPLE v. VIRUNCRUZ  
(HILARIO)**

**S277345** C096518 Third Appellate District

Petition for review denied

**IN RE P.S.**

**S277362** B323203 Second Appellate District, Div. 4

Petition for review denied

**SCOTT (KEVIN IBN) ON H.C.**

**S277373**

Petition for review denied

**PONCSAK (LORI) v. BADART  
(EGAN)**

**S277407** C094191 Third Appellate District

Petition for review denied

**ALTRAIDE (STELLA) v.  
KEENE (DAVID)**

**S277425** B315479 Second Appellate District, Div. 6

Petition for review denied

**TAFT (FOSTER) v. VEATCH  
CARLSON, LLP**

**S277452** D081039 Fourth Appellate District, Div. 1

Petition for review denied

**LAWRIE (MATTHEW A.) ON  
H.C.**

**S277472** A157365 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WILSON  
(GREGORY)**

**S277495** A165851 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ALEMAN-  
RAMIREZ (RIGOBERTO)**

**S277498** A162259 First Appellate District, Div. 5

Petition for review & publication request(s) denied

**MUCHNICK (IRVIN) v.  
REGENTS OF THE  
UNIVERSITY OF  
CALIFORNIA**

**S277501** C097246 Third Appellate District

Petition for review denied

**KENNEDY (JERRY NOBLE)  
ON H.C.**

**S277502** C095246 Third Appellate District

Petition for review denied

**PEOPLE v. DUNLEVY (JON  
PAUL)**

**S277506** F082051 Fifth Appellate District

Petition for review denied

**PEOPLE v. GARCIA  
(AGUSTIN)**

**S277515** C094658 Third Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ  
(BRENT LUIS)**

**S277539** H049461 Sixth Appellate District

Petition for review denied

**PEOPLE v. TORRES (ANGEL  
ANTONIO)**

**S277572** F082306 Fifth Appellate District

Petition for review denied

**TAFT (FOSTER) v. BOSTON  
SCIENTIFIC CORPORATION**

**S277579** C093382 Third Appellate District  
Petition for review & publication request(s) denied

**PEOPLE v. BOYD (ASHIRON)**

**S277615** A159178 First Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. FONSECA (RENE)**

**S277627** C093376 Third Appellate District  
Petition for review denied

**PEOPLE v. GOODING  
(JAMAAL DARRIS)**

**S277647** G060773 Fourth Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. TRUONG  
(JONATHAN)**

**S277650** C094475 Third Appellate District  
Petition for review denied

**SEMON (WILL) v. COUNTY  
OF COLUSA**

**S277651** A164557 First Appellate District, Div. 4  
Petition for review denied  
Guerrero, C. J., and Corrigan, J., were recused and did not participate.

**PEOPLE v. KLOSTER  
(STEPHEN)**

**S277654** B312766 Second Appellate District, Div. 6  
Petition for review denied

**NORTH KERN WATER  
STORAGE DISTRICT v. CITY  
OF BAKERSFIELD**

**S277655** B318458 Second Appellate District, Div. 5  
Petition for review denied

**PEOPLE v. FRANKLIN  
(RAEKWON)**

**S277662** D079634 Fourth Appellate District, Div. 1  
Petition for review denied

**PEOPLE v. RIVOTA III  
(ALBERT)**

**S277675** E075410 Fourth Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. GARCIA (ABEL  
JOSUE)**

**S277678** F084880 Fifth Appellate District  
Petition for review denied

**STARRETT (MIKE) ON H.C.**

**S277684** B315208 Second Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. TREJO (JUAN CARLOS)**

**S277695** B314203 Second Appellate District, Div. 3  
Petition for review denied

**ATIZ INNOVATION COMPANY LIMITED v. WARNOCK (NICHOLAS)**

**S277700** G060525 Fourth Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. VASQUEZ-COLLAZOS (OLGA)**

**S277724** H050434 Sixth Appellate District  
Petition for review denied

**ALVAREZ (ANGEL) ON H.C.**

**S277727** C092868 Third Appellate District  
Petition for review denied

**PEOPLE v. COUSINS (TYRELL DUPRE)**

**S277729** B315379 Second Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. LYONS (ANDRE)**

**S277745** G060903 Fourth Appellate District, Div. 3  
Petition for review denied

**PEOPLE v. CRUZ (ROBERTO CARLOS)**

**S277747** D081088 Fourth Appellate District, Div. 1  
Petition for review denied  
Guerrero, C. J., was recused and did not participate.

**RICCHIO (LINDA ELIZABETH) ON H.C.**



**S278149** A166645 First Appellate District, Div. 1

Petition for review & application for stay denied

**DALEIDEN (DAVID  
ROBERT) v. S.C. (PEOPLE)**

**S273364**

Petition for writ of habeas corpus denied

**WELTON (ROBERT JOHN)  
ON H.C.**

**S274044**

Petition for writ of habeas corpus denied

**MARYLAND (PRINCE  
EDWARD) ON H.C.**

**S274796**

Petition for writ of habeas corpus denied

**MELLO (WILLIAM D.) ON  
H.C.**

**S276263**

Petition for writ of habeas corpus denied

**HERRERA (JOSHUA) ON  
H.C.**

**S276268**

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].)

**BRISENO (JACOB) ON H.C.**

**S276270**

Petition for writ of habeas corpus denied

**GENTRY (EDWARD RAY)  
ON H.C.**

**S276284**

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 Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

**DEUTSCH (JANICE) ON H.C.**

**S276288****YOUNG (GALE 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].)

**S276294****WAY (LATRALE D.) 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].)

**S276355****MUHAMMAD (FARD) ON  
H.C.**

Petition for writ of habeas corpus denied

**S276357****KNOX (CHRISTOPHER LEE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S276361****ANDERSON (DION) ON H.C.**

Petition for writ of habeas corpus denied

**S276368****TYREE (KELAN MONTAY)  
ON H.C.**

Petition for writ of habeas corpus denied

**S276392****FRAZIER (LUTHER DEVON)  
ON H.C.**

Petition for writ of habeas corpus denied

**S276648****GOMEZ (ASCENCION) ON  
H.C.**

Petition for writ of habeas corpus denied

**S276693****KLOTZ (JOE) 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].) Individual claims are denied, as applicable. (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 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]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S277285****ARMENTA (RICHARD) ON H.C.**

Petition for writ of habeas corpus denied

**S277757****MELLO (WILLIAM D.) ON H.C.**

Petition for writ of habeas corpus denied

**S276923** B310897/B310917 Second Appellate District, Div. 3 **REGALBUTO (SUSAN KAY & MICHAEL), MARRIAGE OF**

Publication request denied (case closed)

**S276926** B313980/B315720 Second Appellate District, Div. 5 **URICK III (WILLIS E.) v. URICK (DANA)**

Publication requests denied (case closed)

**S277251** F083832 Fifth Appellate District**WEIL (NATHALIE) v. GALLEGOS (RICHARD)**

Publication request denied (case closed)

**S277342** F082174 Fifth Appellate District**MENDEZ-VILLEGAS (TERESA E.) v. DUARTE (JOHN)**

Publication request denied (case closed)

**S277250****CONO (LEO) v. PREMTAJ  
(MARY)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 27, 2023.

**S277325** C093344 Third Appellate District**HOGREFE (RANDOLPH) v.  
COUNTY OF TRINITY**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2023.

**S277503** B313878 Second Appellate District, Div. 4**IMMIGRANT RIGHTS  
DEFENSE COUNCIL, LLC v.  
HUDSON INSURANCE  
COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to February 24, 2023.

**S277509** C093682 Third Appellate District**SHEETZ (GEORGE) v.  
COUNTY OF EL DORADO**

The time for granting or denying review in the above-entitled matter is hereby extended to February 24, 2023.

**S277511** B324460 Second Appellate District, Div. 7**WASSERMAN LAW GROUP  
v. S.C. (SHAKIB)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 24, 2023.

**S277512** H047100 Sixth Appellate District**BUSHANSKY (STEPHEN) v.  
ALLIANCE FIBER OPTIC  
PRODUCTS, INC.; ISAACSON  
(ERIC ALAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 24, 2023.

**S277516** C096452 Third Appellate District**PEOPLE v. ANDERSON  
(HARLAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 27, 2023.

**S277518** H049033 Sixth Appellate District

**CAMP (DELMER) v. HOME  
DEPOT U.S.A., INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 27, 2023.

**S277530** H048128 Sixth Appellate District

**O’SULLIVAN (FLORENCE  
MARTIN) v. WILLIAMS  
(STEPHANIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 28, 2023.

**S277544** D075957/D076833 Fourth Appellate District, Div. 1 **M. (K.) v. GROSSMONT  
UNION HIGH SCHOOL  
DISTRICT**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2023.

**S277547** B306275/B308339 Second Appellate District, Div. 6 **FIGUEROA (RAUL B.) v. FCA  
US, LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S277548** G059837 Fourth Appellate District, Div. 3 **W. (TIMOTHY) v. W. (JULIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 1, 2023.

**S277554** B311531 Second Appellate District, Div. 5 **HEFFERNAN (CURTIS) v.  
BILZERIAN (DAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S277555** B324435 Second Appellate District, Div. 2 **DIEGO (WILLIAM SOK) v.  
S.C. (PUBLIC GUARDIAN OF  
THE COUNTY OF LOS  
ANGELES)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S277557** B309227/B310481 Second Appellate District, Div. 4 **COUNCIL FOR EDUCATION  
& RESEARCH ON TOXICS v.  
STARBUCKS  
CORPORATION**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S277568** A162817 First Appellate District, Div. 4 **DHITAL (SOBITA) v. NISSAN  
NORTH AMERICA, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S277570** H048837 Sixth Appellate District **BONAB (FARAZ FADAVI  
AKHAVAN) v. GINN  
(SAMUEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to March 2, 2023.

**S175660** **PEOPLE v. AGUIRRE (JASON  
ALEJANDRO)**

Extension of time granted

Based upon counsel Carla J. Johnson's representation that the supplemental appellant's reply brief is anticipated to be filed by February 17, 2023, an extension of time in which to serve and file that brief is granted to February 17, 2023. After that date, no further extension is contemplated.

**S225020** **PEOPLE v. MURTAZA  
(IFTEKHAR)**

Extension of time granted

Based upon counsel Deputy Attorney General Junichi P. Semitsu's representation that the respondent's brief is anticipated to be filed by June 20, 2023, an extension of time in which to serve and file that brief is granted to March 21, 2023. After that date, only two further extensions totaling about 91 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).

**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 March 20, 2023, an extension of time in which to serve and file that brief is granted to March 20, 2023. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S237549****PEOPLE v. THOMAS  
(MICHAEL)**

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 March 21, 2023.

**S258581****PEOPLE v. VILLANUEVA  
(RIGOBERTO)**

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 March 20, 2023.

**S272238**      G058604 Fourth Appellate District, Div. 3**PEOPLE v. CURIEL  
(FREDDY ALFREDO)**

Extension of time granted

On application of amicus curiae - Office of the State Public Defender and good cause appearing, it is ordered that the time to serve and file the amicus curiae is extended to January 31, 2023.

**S273179** B278091 Second Appellate District, Div. 4

**TRUCK INSURANCE  
EXCHANGE v. KAISER  
CEMENT & GYPSUM CORP.;  
LONDON MARKET  
INSURERS; INSURANCE  
COMPANY OF THE STATE  
OF PENNSYLVANIA;  
GRANITE STATE  
INSURANCE COMPANY**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the response to amicus curiae brief is extended to March 1, 2023.

**S275848** A163503/A163504 First Appellate District, Div. 1 **ILOFF (LAURANCE) v.  
LaPAILLE (CYNTHIA)**

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 February 27, 2023.

**S276140**  
Extension of time granted – CYRUS MARK SANAI

**SANAI ON DISCIPLINE**

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to state bar response is extended to February 1, 2023.

**S276347**

**MARTIN (BRIAN DOUGLAS)  
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 February 27, 2023.

**S276395** G060670 Fourth Appellate District, Div. 3

**NEEDHAM (NICHOLAS) v.  
S.C. (PEOPLE)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 23, 2023.



No further extensions are contemplated.

**S276649** C096051 Third Appellate District  
Extension of time granted

**IN RE KENNETH D.**

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 February 21, 2023.

**S277544**

**M. (K.) v. GROSSMONT  
UNION HIGH SCHOOL  
DISTRICT**

Extension of time granted

On application of respondent's and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 30, 2023.

**S277820** C094514 Third Appellate District

**WRIGHT (CHEVAL  
SHANNON) ON H.C.**

Extension of time granted

On application of Attorney General and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 27, 2023. Petitioner will then have until February 3, 2023, to serve and file a reply to answer to petition for review.

**S277832** C092139 Third Appellate District

**DEPARTMENT OF FINANCE  
v. COMMISSION ON STATE  
MANDATES (COUNTY OF  
SAN DIEGO)**

Extension of time granted

On application of cross-defendants 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 January 30, 2023.

**S273179****TRUCK INSURANCE  
EXCHANGE v. KAISER  
CEMENT & GYPSUM CORP.;  
LONDON MARKET  
INSURERS; INSURANCE  
COMPANY OF THE STATE  
OF PENNSYLVANIA;  
GRANITE STATE  
INSURANCE COMPANY**

Application to appear as counsel pro hac vice granted

The application of Laura Siegel-Puhala for admission pro hac vice to appear on behalf of defendant Evanston Insurance Company is hereby granted. (See Cal. Rules of Court, rule 9.40.)

**S212376****PEOPLE v. JOHN (EMRYS  
JUSTIN) & MILLER  
(TYRONE)**

Withdrawal of counsel allowed by order

Good cause appearing, the motion of Catherine White, appointed appellate-only counsel for appellant Tyrone Miller, for permission to withdraw as attorney of record, filed January 5, 2023, is granted. The order appointing Catherine White as appellate-only counsel of record for appellant Miller, filed November 9, 2022, is hereby vacated.

On the court's own motion, Joseph Schlesinger, in his capacity as Executive Director of the California Appellate Project in San Francisco, is hereby appointed as interim appellate counsel of record for appellant Tyrone Miller.

Catherine White is hereby directed to deliver to Executive Director Joseph Schlesinger, within 60 days from the filing of this order, all appellate work product and all trial files or appellate materials that she has obtained from appellant Tyrone Miller or from his trial counsel or paralegals, or from any other source.

**S274606**      B306118 Second Appellate District, Div. 6**PEOPLE v. JONES (DAVION  
DWAYNE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, John Derrick is hereby appointed to represent appellant Davion Dwayne Jones on the appeal now pending in this court.

**S274705**      B261370 Second Appellate District, Div. 5      **PEOPLE v. CORDER (BRIAN BOSEMAN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, John Colucci is hereby appointed to represent appellant Brian Boseman Corder on the appeal now pending in this court.

**S274705**      B261370 Second Appellate District, Div. 5      **PEOPLE v. CORDER (BRIAN BOSEMAN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Lynda Romero is hereby appointed to represent appellant Fredericka L. Carmouche on the appeal now pending in this court.

**S275449**      **PEOPLE v. LEE (DERION DAVON)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, John Dwyer is hereby appointed to represent appellant Pernell Barnes on the appeal now pending in this court.

**S275449**      **PEOPLE v. LEE (DERION DAVON)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, John Steinberg is hereby appointed to represent appellant Derion Davon Lee on the appeal now pending in this court.

**S276914**      B314153 Second Appellate District, Div. 3      **PEOPLE v. MBUGUA (JOHN)**  
Counsel appointment order filed

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

**S276994** C096201 Third Appellate District

**PEOPLE v.  
CHIEMWICHITRA  
(TIMOTHY)**

Counsel appointment order filed

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

**S277044** C095190 Third Appellate District

**PEOPLE v. HERNANDEZ  
(DAVID ANTHONY)**

Counsel appointment order filed

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

**S277118** B317046 Second Appellate District, Div. 3

**PEOPLE v. LEBUS (JAMES  
ROBERT)**

Counsel appointment order filed

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

**S277196** C094491 Third Appellate District

**PEOPLE v. JOHNSON  
(FREDRICK LAMAR)**

Counsel appointment order filed

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

**S277219** C094767 Third Appellate District

**PEOPLE v. NIXON  
(BRANDON ANDRE KEITH)**

Counsel appointment order filed

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

**S277229** C094803 Third Appellate District  
Counsel appointment order filed

**IN RE Z.C.**

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

**S277265** C094752 Third Appellate District  
Counsel appointment order filed

**PEOPLE v. GREEN (JORDAN  
IAN)**

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

**S277282** C094802 Third Appellate District  
Counsel appointment order filed

**PEOPLE v. ANDROSHCHUK  
(EDWARD VLADIMIROV)**

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

**S277431** C095245 Third Appellate District  
Counsel appointment order filed

**PEOPLE v. COOPER (JUSTIN  
MICHAEL)**

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

**S277436** F083359 Fifth Appellate District  
Counsel appointment order filed

**PEOPLE v. REYNOSO (RIGO  
HECTOR)**

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

**S273887****HIMES (MICHELLE);  
BENJAMIN (MARCIA);  
BENJAMIN (DANIEL);  
RIERA (JOSE); CHASE  
(DEBORAH); SCURRAH  
(DIANE) v. SOMATICS, LLC;  
MECTA CORPORATION**

Order filed

Appellant's application for leave to file a reply to opposition in support of motion for judicial notice, filed on January 17, 2023, is hereby granted.

**S276770****LIN ON REINSTATEMENT**

Petitioner reinstated

Upon recommendation of the State Bar Court, the court orders that MING-YEE LIN be reinstated as an attorney of the State Bar of California upon payment of fees and taking the oath required by law.

**S277927****DUSSAULT ON  
REINSTATEMENT**

Petitioner reinstated

Upon recommendation of the State Bar Court, the court orders that SUSAN BARBARA DUSSAULT be reinstated as an attorney of the State Bar of California upon payment of fees and taking the oath required by law.

**S276435****SCHWARTZBERG ON  
DISCIPLINE**

Petition for review denied; disbarred

The petition for review is denied.

The court orders that SAGI SCHWARTZBERG (Respondent), State Bar Number 273312, is summarily disbarred from the practice of law and that Respondent's name is stricken from the roll of attorneys.

Respondent must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in

the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment and may be collected by the State Bar through any means permitted by law.

**S277351****KUTRUBES ON DISCIPLINE**

Recommended discipline imposed

The court orders that PETER LEO KUTRUBES (Respondent), State Bar Number 176024, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first year of probation;
2. Respondent must also comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on October 6, 2022 and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Review Department in its Opinion filed on October 6, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].) Failure to do so may result in disbarment or suspension. Respondent must also maintain the records of compliance as required by the conditions of probation.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.

**S277353****HROUDA ON DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS GEORGE HROUDA (Respondent), State Bar Number 193984, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 4, 2022; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on October 4, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].) Failure to do so may result in disbarment or suspension. Respondent must also maintain the records of compliance as required by the conditions of probation.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,250 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.

**S277355****KAEMERLE ON DISCIPLINE**

Recommended discipline imposed

The court orders that MATTHEW WALKER KAEMERLE (Respondent), State Bar Number 310009, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first year of probation, and Respondent will remain suspended until Respondent provides proof to the State Bar Court of rehabilitation, fitness to practice, and present learning and ability in the



general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

2. Respondent must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 3, 2022.
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on October 3, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].) Failure to do so may result in disbarment or suspension. Respondent must also maintain the records of compliance as required by the conditions of probation.

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7, and as a money judgment, and may be collected by the State Bar through any means permitted by law.

## **S277359**

## **TETI ON DISCIPLINE**

Recommended discipline imposed

The court orders that ERIC ANTHONY TETI (Respondent), State Bar Number 241941, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 60 days of probation;
2. Respondent must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on October 13, 2022; and
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department

in its Order Approving Stipulation filed on October 13, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Respondent must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7, and as a money judgment, and may be collected by the State Bar through any means permitted by law.

**S277360**

**VANDERSCHUIT ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KENT VANDERSCHUIT (Respondent), State Bar Number 192674, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.

**S277361****RODRIGUEZ ON  
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that STEVEN LEE RODRIGUEZ (Respondent), State Bar Number 199313, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

Respondent must comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$3,500 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.

**S277356****BROOKES ON  
RESIGNATION**

Resignation declined

This court, having considered the request, declines to accept the voluntary resignation with charges pending of STEVEN JOHN BROOKES (Attorney), State Bar Number 104247, as an attorney of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).) Attorney remains on inactive status. (Cal. Rules of Court, rule 9.21(a).) Attorney may move the State Bar Court to be restored to active status, at which time the Office of Chief Trial Counsel may demonstrate any basis for Attorney's continued ineligibility to practice law. The State Bar Court will expedite the resolution of any request by Attorney to be restored to active status. Any return to active status will be conditioned on Attorney's payment of any fees, penalty payments, and restitution owed by Attorney. The underlying disciplinary matter should proceed promptly.

**S277357****KHALIQ ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of IMRAN A. KHALIQ (Attorney), State Bar Number 232607, as an attorney of the State Bar of California is accepted. If Attorney subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against Attorney.

Attorney must comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].) Failure to do so may be considered in any future reinstatement proceeding. Attorney must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$250 in accordance with Business and Professions Code section 6086.13 and rule 5.137 of the Rules of Procedure of the State Bar. Monetary sanctions are enforceable as a money judgment and may be collected by the State Bar through any means permitted by law. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment, and may be collected by the State Bar through any means permitted by law.



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
FEBRUARY 7, 2023**

Pursuant to Administrative Order No. 2022-10-05 (October 5, 2022), in November 2022 the Supreme Court resumed in-person oral argument in its San Francisco courtroom. Under this order, which supersedes Administrative Orders Nos. 2020-03-13 (March 16, 2020), 2020-03-27 (March 27, 2020), and 2020-08-19 (August 19, 2020), counsel have the option to appear in person, or remotely via video. The public will continue to have access to argument via live-streaming on the judicial branch website <https://supreme.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 February 7, 2023.

**TUESDAY, FEBRUARY 7, 2023 — 9:00 A.M.**

- (1) Tansavatdi (Betty) v. City of Rancho Palos Verdes, S267453
- (2) Davis (Stephen K.) v. Fresno Unified School District et al., S266344
- (3) In re F.M., S270907

**1:30 P.M.**

- (4) People v. Wilson (Lester Harland), [Automatic Appeal], S189373

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**GUERRERO**  
*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).)