

**SUPREME COURT MINUTES
WEDNESDAY, JANUARY 24, 2024
SAN FRANCISCO, CALIFORNIA**

S086355**PEOPLE v. LEWIS (KEITH ALLEN)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before March 18, 2024, addressing those changes and their relevance to this case. Within 30 days after any supplemental opening brief has been filed pursuant to this order, the People may serve and file a supplemental answering brief, not to exceed 50 pages in length. Appellant may thereafter serve and file a reply, not to exceed 25 pages in length, within 20 days after the People have filed their supplemental answering brief.

S272850

B310024 Second Appellate District, Div. 3

**WHEELER (EMILY) v.
APPELLATE DIVISION
(PEOPLE)**

Supplemental briefing ordered

In footnote 5 on page 4 of the superior court appellate division opinion in this matter, the court wrote: “Given our disposition, we do not consider the People’s argument that the dismissal should be reversed because the court, in effect, granted defendant’s motion to dismiss under Penal Code section 1385.” Real Party in Interest is directed to serve and file, within 14 days of this order, a brief, which may be in letter format, addressing this argument or stating that the People no longer wish to pursue it. Petitioner may file a response within 14 days after the filing of the initial brief under this order and Real Party in Interest may file a reply within 7 days after the filing of the response. No brief contemplated in this order shall exceed 2,800 words.

S282875

C096853 Third Appellate District

PEOPLE v. EATON (JOHN ALLEN)

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.

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

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

S283102 H050146 Sixth Appellate District

**PEOPLE v. EATON
(MICHAEL SHANE)**

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. McCune*, S276303 (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.

S283103 F084188 Fifth Appellate District

PEOPLE v. SANTIZ (JOEL)

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Vaquera*, S258376 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S283115 H049752 Sixth Appellate District

**PEOPLE v. CHAVEZ (RAUL
SOLORIO)**

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.

S283145 A165772 First Appellate District, Div. 3

**PEOPLE v. GONZALEZ
(DANIEL JOE)**

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

The petition for review is granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of *People v. Salazar* (2023) 15 Cal.4th 416. (Cal. Rules of Court, rule 8.528(d).)

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

S282423 D082436 Fourth Appellate District, Div. 1

**W. (N.) & W. (M.),
MARRIAGE OF**

Petition for review denied

S282599 C091962 Third Appellate District

**CABRERA (MIGUEL ANGEL)
ON H.C.**

The petition for review is denied without prejudice to the filing of a petition for writ of habeas corpus in this court on the issue of whether petitioner's sentence is unauthorized. (*In re Harris* (1993) 5 Cal.4th 813, 838-839.)

S282732 A167959 First Appellate District, Div. 3

**CHEN (XIU LI) v. UCSF
MEDICAL CENTER**

Petition for review denied

S282747 A165592 First Appellate District, Div. 3

**BERRY (CHARLES J.) v.
POPE VALLEY UNION
ELEMENTARY SCHOOL
DISTRICT**

Petition for review denied

S282751

LOPEZ (ARTHUR) v. S.C.

Petition for review & application for stay denied

S282785 H051067 Sixth Appellate District

**BURGOS (FRANCISCO) ON
H.C.**

Petition for review denied

S282789

LOPEZ (ARTHUR) v. S.C.

Petition for review denied

S282801 B319840 Second Appellate District, Div. 2

**PEOPLE v. EDMONDS
(FRANK)**

Petition for review denied

S282810 B312572 Second Appellate District, Div. 7

Petitions for review denied

**BENTON (LORENZO) v.
TELECOM NETWORK
SPECIALISTS, INC.**

S282815 A164786 First Appellate District, Div. 3
Petition for review denied

PEOPLE v. MOORE (MARIA)

S282818 A165954 First Appellate District, Div. 4

Petition for review denied

**MISSION PEAK
CONSERVANCY v. COUNTY
OF ALAMEDA; (GEORGE)**

S282826

Petition for review & application for stay denied

**PERRY (MICHAEL MOSHE)
v. NASCH PROPERTIES LLC**

S282839 B319608 Second Appellate District, Div. 7

Petition for review denied

**WILLIAMS (BRIAN) v.
HILLCREST MANOR LLC**

S282844

The request for judicial notice is denied.
The petition for review and application for stay are denied.

**PERRY (MICHAEL MOSHE)
v. NASCH PROPERTIES, LLC**

S282853 D081438 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MARISCAL
(PAUL ALBERTO)**

S282864 D082218 Fourth Appellate District, Div. 1

Petition for review denied

**REYNANTE (CORWIN) v.
HOME DEPOT U.S.A., INC.**

S282893 B321637 Second Appellate District, Div. 8
Petition for review denied

PEOPLE v. OCHOA (ROSA)

S282896 G062365 Fourth Appellate District, Div. 3
Petition for review denied

IN RE E.D.

S282906 A165957 First Appellate District, Div. 1

**PEOPLE v. HAMPTON
(VERNON LEE)**

Petition for review denied

S282918

**ANDERSON (ASHLIE) v.
NASCH PROPERTIES LLC**

The request for judicial notice is denied.
The petition for review and application for stay are denied.

S282920 H050117 Sixth Appellate District

PEOPLE v. ORTIZ (LUIS)

Petition for review denied

Liu and Evans, JJ., are of the opinion the petition should be granted.

S282940 C095056 Third Appellate District

**VOROBAY (DAVID) v.
GEROLAMY (ROB)**

Petition for review denied

S282942 B321566 Second Appellate District, Div. 3

**SNOECK (STEVE) v.
EXAKTIME INNOVATIONS,
INC.**

Petition for review denied

S282960 B314750 Second Appellate District, Div. 4

**SNOWBALL WEST
INVESTMENTS L.P. v. CITY
OF LOS ANGELES**

Petition for review & depublication request(s) denied

S282963	B333275 Second Appellate District, Div. 3	MAULTSBY (LINDA J.) v. S.C. (MURAL MEDIA, LLC 401K PLAN)
Petition for review denied		
S282964	A165783 First Appellate District, Div. 2	DUNCAN (JAMES L.) v. SONOMA-MARIN AREA RAIL TRANSIT DISTRICT (CITY OF SANTA ROSA)
Petition for review denied		
S282983	B333019 Second Appellate District, Div. 3	MAULTSBY (LINDA J.) v. S.C. (MURAL MEDIA, LLC 401K PLAN)
Petition for review denied		
S282991	C097961 Third Appellate District	PEOPLE v. GREENHAGEN (MELISSA GAY)
Petition for review denied		
S283026	B317816 Second Appellate District, Div. 1	CHILDREN SOLUTION, LLC v. ALTMAN (BRYAN); MASTROIANNI (A. DOUGLAS)
The request for judicial notice is granted. The petition for review is denied.		
S283029	C097036 Third Appellate District	PEOPLE v. BERGESON (ANDREW JOHN)
Petition for review denied		
S283035	E081484 Fourth Appellate District, Div. 2	PEOPLE v. BROWN (KENYON DARRELL)
Petition for review denied		
S283047	B319630 Second Appellate District, Div. 4	Z. (J.) v. G. (J.)
Petition for review denied		

S283048	A169160 First Appellate District, Div. 5	KWAN (RENEE) v. S.C. (ELLENBERG)
Petition for review denied		
S283056	E080003 Fourth Appellate District, Div. 2	PEOPLE v. JACKSON (TYRONE)
Petition for review denied		
S283059	B322180 Second Appellate District, Div. 6	PEOPLE v. APODACA (JAMES LEWIS)
Petition for review denied		
S283062	B322059 Second Appellate District, Div. 2	PEOPLE v. VALLE (LUIS ALONZO)
Petition for review denied		
S283068	B330999 Second Appellate District, Div. 1	SMITH (CHARLES RAY) v. S.C. (PEOPLE)
Petition for review denied		
S283070	B314112 Second Appellate District, Div. 4	PEOPLE v. STEELE (CLEO)
Petitions for review denied		
S283072	B317378 Second Appellate District, Div. 5	TOURE (JAMIL) v. OXLEY (JAMICE AMBER)
Petition for review denied		
S283074	A163965 First Appellate District, Div. 5	PEOPLE v. HAYNES (DAMONE)
Petition for review denied		
S283084	C097068 Third Appellate District	PEOPLE v. OLIVARES (MANUEL)
Petition for review denied		

S283088 A166128 First Appellate District, Div. 3

Petition for review denied
Corrigan, J., was recused and did not participate.

PEOPLE v. SANDHER (JOGA SINGH)

S283089 F085294 Fifth Appellate District

Petition for review denied

PEOPLE v. MOON (JOSHUA DANIEL)

S283091 E080147 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. RAMIREZ (CESARIO)

S283094 B320529 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. JONES (DAVID LEE)

S283095 B322582 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. MARTINEZ (TIBURCIO EMETERIO)

S283096 G063371 Fourth Appellate District, Div. 3

Petition for review denied

ORANGE COUNTY ASSOCIATION FOR MENTAL HEALTH v. S.C. (CITY OF SANTA ANA)

S283097 E081033 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. HARO (JOHNNY JOE)

S283104 C096366 Third Appellate District

Petition for review denied

PEOPLE v. GRIMES, JR., (KEVIN DONNTE)

S283107 A164901 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. LEE
(VINCTONIVISH DWANE)**

S283108 F085147 Fifth Appellate District

Petition for review denied

**PEOPLE v. DUARTE-
RODRIGUEZ (JOSE
MANUEL)**

S283113 A164554 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MONTGOMERY-
SANSOME, LP**

S283116 B324751 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LENARD
(ROBERT ERIC)**

S283117 B323960 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. JOSHUA
(LAQUIST)**

S283119 D081056 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ROBERTS (SETH
ALAN)**

S283123 B329545 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SERPA (ALLAN
EDMOND)**

S283127 F084463 Fifth Appellate District

Petition for review denied

**PEOPLE v. LIND (FRANK
ARTHUR)**

S283129 C096163 Third Appellate District

Petition for review denied

**PEOPLE v. DOMINGUEZ
(ROMULO)**

S283131	B324440 Second Appellate District, Div. 7	PEOPLE v. PANIAGUA (ARIEL BAKER)
Petition for review denied		
S283132	F085379 Fifth Appellate District	PEOPLE v. ORNELAS (VALENTINE JOHN)
Petition for review denied		
S283139	A169215 First Appellate District, Div. 3	HSU (CHEN CHEN) v. S.C. (BARBEE)
The request for judicial notice is denied. The petition for review is denied.		
S283140	A163126 First Appellate District, Div. 5	PEOPLE v. HASKIN- GOLOGORSKY (LINDA)
Petition for review denied		
S283141	A164420 First Appellate District, Div. 2	PEOPLE v. HATOUM (MARWAN SAJIH)
Petition for review denied		
S283147	B317939 Second Appellate District, Div. 3	PEOPLE v. GASPARYAN (ARTYOM)
Petition for review denied		
S283148	C096721 Third Appellate District	PEOPLE v. DWYER (MICHAEL)
Petition for review denied		
S283152	E078414 Fourth Appellate District, Div. 2	PEOPLE v. WILLIS (HUGH OBRINE)
Petition for review denied		
S283482	B334377 Second Appellate District, Div. 5	TURNER (EDDIE) v. S.C. (PEOPLE)
Petition for review & application for stay denied		

S278915**LOMBARDO (VINCENT) ON
H.C.**

The petition for writ of habeas corpus is denied without prejudice to any relief to which petitioner might be entitled after the resolution of the pending Penal Code section 1172.6 proceedings in Tehama County Superior Court (Super. Ct. No. NCR41795). The parties are directed to inform the California Supreme Court as to the outcome of the section 1172.6 proceedings.

S279269**GREEN (CEDRIC) ON H.C.**

The petition for writ of habeas corpus is denied.
Groban, J., is of the opinion an order to show cause should be issued.

S281802**KING (JESSE STEPHEN) ON
H.C.**

Petition for writ of habeas corpus denied

S281805**HAQQ (JIHAD IBRAHIM) ON
H.C.**

Petition for writ of habeas corpus denied

S281986**JACKSON (TIM) ON H.C.**

Petition for writ of habeas corpus denied

S282000**JONES (MICHAEL
ORLANDO) ON H.C.**

Petition for writ of habeas corpus denied

S282014**WIGGAN (ADAM) ON H.C.**

Petition for writ of habeas corpus denied

S282058**RUIZ (JOHNNY P.) ON H.C.**

Petition for writ of habeas corpus denied

S282063**MARTINEZ (JESS RICO) ON
H.C.**

Petition for writ of habeas corpus denied

S282882

Petition for writ of habeas corpus denied

RUSSELL (COREY) ON H.C.**S283069**

Petition for writ of habeas corpus denied

**GOYENS
(CHALEDEEANKA
DEBORAH ANN WILLIAMS)
ON H.C.****S282622** B323391 Second Appellate District, Div. 6

Publication request denied (case closed)

**AGUILA (HENRY) v. PICO
RIVERA FIRST MORTGAGE
INVESTORS, LP****S282712** H050225 Sixth Appellate District

Publication request denied (case closed)

**GREWAL (HARSIMRAN
"GP") & CROFT GREWAL
(JENNIFER), MARRIAGE OF****S282748** B317161 Second Appellate District, Div. 5

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

**ARCE (CECILIA) v. THE
ENSIGN GROUP, INC.****S282749** B323493 Second Appellate District, Div. 1

Publication request denied (case closed)

**PEOPLE v. ROMBEAU
(MICHAEL)****S282757** B313724 Second Appellate District, Div. 7

Publication request denied (case closed)

**McCRACKEN (MELANIE) v.
RIOT GAMES, INC.;
CALIFORNIA CIVIL RIGHTS
DEPARTMENT**

S282832 B301780 Second Appellate District, Div. 5 **PEOPLE v. CHWEYA
(RODNEY D.)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 23, 2024.

S092615 **PEOPLE v. DEEN (OMAR
RICHARD)**

Extension of time granted

Upon application of Supervising Deputy State Public Defender AJ Kutchins, an extension of time in which to serve and file appellant's supplemental opening brief is granted to March 29, 2024. After that date, no further extensions are contemplated. Within 30 days after any supplemental opening brief has been filed pursuant to this order, the People may serve and file a supplemental answering brief, not to exceed 50 pages in length. Appellant may thereafter serve and file a reply, not to exceed 25 pages in length, within 20 days after the People have filed their supplemental answering brief.

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

Extension of time granted

Upon application of Assistant State Public Defender Denise Kendall, an extension of time in which to serve and file Donald Young's opening brief is granted to April 2, 2024. The court anticipates that after that date, only two further extensions totaling about 125 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).)

S282973 **ACCUSATION OF KHAN**
Petition denied (accusation)

S282996 **ACCUSATION OF
HUTCHINSON**
Petition denied (accusation)

S283080 **ACCUSATION OF COLLINS**
Petition denied (accusation)

S282317**KELLEY ON DISCIPLINE**

Petition for review denied; disbarred

The petition for review is denied.

The court orders that TROY XAVIER KELLEY, State Bar Number 146504, is summarily disbarred from the practice of law and that Respondent's name is stricken from the roll of attorneys.

TROY XAVIER KELLEY must comply with California Rules of Court, rule 9.20, and perform the acts specified in (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.