

**SUPREME COURT MINUTES  
WEDNESDAY, MARCH 12, 2025  
SAN FRANCISCO, CALIFORNIA**

**S288828**      B335713 Second Appellate District, Div. 5      **PEOPLE v. SOTO (JOSE)**  
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. Rhodius*, S283169 (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.

**S288985**      B325424 Second Appellate District, Div. 4      **PEOPLE v. CHASE (ERIN  
HOSEJOSHUA)**

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. Emanuel*, S280551 (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.

**S289144**      H051271 Sixth Appellate District      **PEOPLE v. LOPEZ  
(ROBERTO CAMPA)**

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. Rhodius*, S283169 (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.

**S289147**      H047195 Sixth Appellate District      **PEOPLE v. FRANCO  
(GABRIEL)**

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. Bankston*, S044739, and pending finality of *People v.*

*Hin* (Feb. 3, 2025, S141519) \_\_\_ Cal.5th \_\_\_ (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.

**S289148**      B334097 Second Appellate District, Div. 6      **PEOPLE v. GALLEGOS III**  
**(JUAN DE DIOS)**

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. Rhodius*, S283169 (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.

**S289152**      H048598 Sixth Appellate District      **PEOPLE v. STUBBLEFIELD**  
**(DANA WILLIAM)**

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. Bankston*, S044739 and *People v. Barrera*, S103358 (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.

**S289189**      E083070 Fourth Appellate District, Div. 2      **PEOPLE v. GOODSON (KURT**  
**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. Rhodius*, S283169 (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.

**S288237**      A168918 First Appellate District, Div. 2      **PEOPLE v. COOPER, JR.,  
(GREGORY)**

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

The petition for review is granted. The matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of the Attorney General's representation that the Department of Corrections and Rehabilitation "sent a spreadsheet to Humboldt County which identified Cooper as eligible for resentencing pursuant to [Penal Code] section 1172.75, and thus the trial court did have jurisdiction to conduct Cooper's resentencing." (Answer to Petition for Review, p. 10 (filed Feb. 24, 2025); Cal. Rules of Court, rule 8.528(d).)

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

**S288611**      C099455 Third Appellate District      **PEOPLE v. RIEL (CHARLES  
DELL)**

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

Appellant's "Motion to File Request for Judicial Notice Under Seal," filed January 3, 2025, is granted. In ordering this sealing, this court makes the findings required by California Rules of Court, rules 2.550(d)-(e) and 8.46(d). The Clerk is directed to file under seal the unredacted "Motion for Judicial Notice," lodged on January 3, 2025, and file the redacted "Motion for Judicial Notice," received on January 3, 2025. So filed, the "Motion for Judicial Notice" is denied. (Evid. Code, §§ 452, 459.)

The petition for review is granted. The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of the Attorney General's representation that "the case list with Riel's information was in fact transmitted to the Shasta County Superior Court, meaning that the jurisdictional issue identified by the courts below would not have been an impediment to considering resentencing." (Answer to Petition for Review, p./16 (filed Feb. 24, 2025); Cal. Rules of Court, rule 8.528(d).)

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

**S289155**      B329386 Second Appellate District, Div. 1      **PEOPLE v. JOHNSON (MARK  
ANTHONY)**

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

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, Second Appellate District, Division One, with directions to vacate its decision and to reconsider the cause as the Court sees fit. (Cal. Rules of Court, rule 8.528(d).)

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

**S289205**      E085413 Fourth Appellate District, Div. 2      **AVILAS (JULIAN) ON H.C.**  
Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Two, with directions to issue an order to show cause

The request for judicial notice is granted.

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two. That court is ordered to vacate its summary denial dated January 29, 2025, and is further ordered to issue an order to show cause, returnable before that court. (Cal. Rules of Court, rule 8.528(d).) The San Bernardino County Sheriff's Department is to be ordered to show cause why petitioner is not entitled to relief on the ground that, at the hearings held on November 12, 2024, and December 18, 2024, the San Bernardino County Superior Court failed to address the feasibility of nonfinancial conditions of release and affordable bail with sufficient specificity to facilitate review of its detention orders. (*In re Humphrey* (2021) 11 Cal.5th 135, 154-156.)

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

**S134792**

**PEOPLE v. HUGHES  
(MERVIN RAY)**

Dismissal order filed

This court is in receipt of appellant's "Abandonment of Appeal," filed on December 30, 2024. The appeal is dismissed. (Cal. Rules of Court, rule 8.316.) The remittitur shall issue upon the filing of this order. (Cal. Rules of Court, rule 8.540(c).)

**S206515**

**PEOPLE v. MILLS (DAVID)**

Dismissal order filed

Appellant's "Application for an Order Dismissing His Direct Appeal," filed on November 20, 2024, is granted. The appeal is dismissed. (Cal. Rules of Court, rule 8.316.) The remittitur shall issue upon the filing of this order. (Cal. Rules of Court, rule 8.540(c).)

**S288429**

B331908 Second Appellate District, Div. 6

**TERRY (BOAKE & KELLIE),  
MARRIAGE OF**

Petition for review & publication request(s) denied

**S288492**

B328504 Second Appellate District, Div. 4

**IN RE MATTHEW B.**

Petition for review denied

<b>S288521</b>	D085141 Fourth Appellate District, Div. 1	<b>FRAUSTEIN (MICHAEL) v. S.C. (LARKIN)</b>
Petition for review denied		
<b>S288524</b>	B322814 Second Appellate District, Div. 7	<b>LLOYD (KRISTEN) v. BYRD TECHNOLOGIES, INC.</b>
Petition for review denied		
<b>S288557</b>	G062347/G062434 Fourth Appellate District, Div. 3	<b>SUN (SARAH DECORDOVA) v. SANDERS (CAROLYN)</b>
Petition for review & publication request(s) denied		
<b>S288560</b>	D085066 Fourth Appellate District, Div. 1	<b>BENNETT (MONICA) v. S.C. (BENNETT)</b>
Petition for review denied		
<b>S288576</b>	B342449 Second Appellate District, Div. 1	<b>POE (JAMES) v. S.C. (MEDPOINT MANAGEMENT, INC.)</b>
The motion for an order vacating rulings in the trial court is denied. The petition for review is denied.		
<b>S288609</b>	D081911 Fourth Appellate District, Div. 1	<b>BURTON (KATHRYN) v. CAMPBELL (JENNIFER); SAN DIEGO GAS &amp; ELECTRIC COMPANY</b>
Petition for review denied		
<b>S288614</b>	G062356 Fourth Appellate District, Div. 3	<b>ROLFES (ROSEMARY), ESTATE OF</b>
Petition for review denied		
<b>S288627</b>	B342584 Second Appellate District, Div. 7	<b>PANORAMA GROUP INC. v. S.C. (GLENSIDE PARTNERS, LLC)</b>
Petition for review denied		

**S288639** C099118 Third Appellate District

Petition for review denied

**PEOPLE v. NELSON (PETER JAMES)**

**S288673** H051349 Sixth Appellate District

Petition for review denied

**KOEPEL (GARY M.) v. CENTRAL PACIFIC MORTGAGE COMPANY**

**S288691** B339782 Second Appellate District, Div. 5

Petition for review denied

**ALI (NAYYER) v. DIGNITY HEALTH**

**S288726** G065002 Fourth Appellate District, Div. 3

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *In re Kowalczyk*, S277910.

**MENDEZ (CHRISTOPHER) v. S.C. (PEOPLE)**

**S288736** A170819 First Appellate District, Div. 4

Petitioner's eight requests for judicial notice, filed January 28, 2025; February 3, 2025; February 5, 2025; February 7, 2025; February 13, 2025; February 14, 2025; and February 21, 2025, are denied.

Respondent's Motion for Enforcement of Orders re Use of Initials and Identifying Information and to Partially Redact Petition for Review, filed January 16, 2025, is denied.

The petition for review is denied.

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

**T. (C.) v. W. (K.)**

**S288761** B342573 Second Appellate District, Div. 1

Petition for review denied

**COLE (TOMMY) ON H.C.**

**S288785** B334975 Second Appellate District, Div. 1

Petition for review denied

**FLORES (BRYAN) ON H.C.**

**S288790** H051433 Sixth Appellate District

Petition for review denied

**CURATOLO (SALLY ANN), ESTATE OF**

**S288793** B339840 Second Appellate District, Div. 2

Petition for review & application for stay denied

**CURRIE (MARK A.) v. S.C.  
(FIRE INSURANCE  
EXCHANGE)**

**S288827** A167459 First Appellate District, Div. 5

Petition for review denied

**McGOVERN (MARCIA) &  
STOLLER (DAVID),  
MARRIAGE OF**

**S288833** B331226 Second Appellate District, Div. 8

Petition for review denied

**GARCIA (ELIZABETH L.) v.  
14322 CORBY AVE., LLC**

**S288851** F087940 Fifth Appellate District

Petition for review denied

**PEOPLE v. MOTA (JORGE  
ELOY)**

**S288855** A168645 First Appellate District, Div. 3

Petition for review denied

**CASA MIRA HOMEOWNERS  
ASSOCIATION v.  
CALIFORNIA COASTAL  
COMMISSION**

**S288862** E081367 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TORRES, SR.,  
(ELOY JAIME)**

**S288880** B328706 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. RODRIGUEZ  
(SAMANTHA)**

**S288891** B330162 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. FLENOY  
(ANTHONY)**

**S288896** H049190 Sixth Appellate District

**PEOPLE v. EMANUEL  
(LOUIS SANCHEZ)**

Petition for review denied

**S288913** A169218 First Appellate District, Div. 5

**STEAD FINANCIAL, INC. v.  
CALIFORNIA STATEWIDE  
COMMUNITIES  
DEVELOPMENT  
AUTHORITY**

Petition for review denied

**S288914** B327169/B329982 Second Appellate District, Div. 5 **PEOPLE v. BARRON  
(MANUEL)**

Petitions for review denied

**S288921** F087078 Fifth Appellate District

**PEOPLE v. BONACICH  
(DANIEL LOUIS)**

Petition for review denied

**S288923** A165875 First Appellate District, Div. 4  
Petition for review denied

**PEOPLE v. JOHNS (ERIC)**

**S288929** A166277 First Appellate District, Div. 3

**PEOPLE v. BAUGH (CORY  
VIRGIL)**

Petition for review denied  
Groban, J., is of the opinion the petition should be granted.

**S288932** B342578 Second Appellate District, Div. 2

**AREVALO (JHONNY) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD & GOLD'S GYM  
SANTA ANA**

The motion to amend the award computation is denied.  
The petition for review and application for stay are denied.



**S288937** D082407/D082907 Fourth Appellate District, Div. 1 **MAJESTIC ASSET MANAGEMENT LLC v. THE COLONY AT CALIFORNIA OAKS HOMEOWNERS ASSOCIATION; HUANG (JEN)**

Petition for review denied

**S288948** A167506 First Appellate District, Div. 4 **PEOPLE v. TASINI (PAEA IMULI)**

Petition for review denied

**S288955** B334340 Second Appellate District, Div. 3 **SNOW (STEPHEN F.) ON H.C.**  
Petition for review denied

**S288961** C100806 Third Appellate District **PEOPLE v. MAYES (STEDVIENO)**

Petition for review denied

**S288969** D084308 Fourth Appellate District, Div. 1 **PEOPLE v. PAZ (HILARIO MENDOZA)**

Petition for review denied

**S288973** C100668 Third Appellate District **PEOPLE v. ORTEGA (VICTOR)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *In re Montgomery*, S287339.

**S288977** F085616 Fifth Appellate District **PEOPLE v. JAIME , SR., (JESSE)**

Petition for review denied

**S288979** **McCALL (ANTHONY RAY) v. S.C. (PEOPLE)**

Petition for writ of mandate/prohibition denied

**S288981**      B328904 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. DAVIS  
(ANTHONY)**

**S288991**      H050202 Sixth Appellate District

Petition for review denied

**PEOPLE v. JUHOS (STEVEN)**

**S288997**      A169363 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LOMACK, JR.,  
(ROBERT CHEVOI  
DAUVGHNTE)**

**S288999**      H051909 Sixth Appellate District

Petition for review denied

**PEOPLE v. MUGAS (JOSE  
ACOSTA)**

**S289002**      E085302 Fourth Appellate District, Div. 2

Petition for review denied

**JONES, JR., (HENRY  
ALEXANDER) ON H.C.**

**S289006**      D081057 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GARLAND  
(JACKIE LEE)**

**S289007**      C097927 Third Appellate District

Petition for review denied

**PEOPLE v. HUNT (ROBERT)**

**S289008**      F085421 Fifth Appellate District

Petition for review denied

**PEOPLE v. JONES (RANDY  
KUTCHUWAH  
WINDWALKER)**

**S289010**      B332053 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MURRAY  
(JONATHAN ALVIN)**

**S289012** F087097 Fifth Appellate District

Petition for review denied

**PEOPLE v. GRAYSON  
(ERICK DONTAY)**

**S289015** B331421 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ADAMS (JUSTIN  
CHRISTOPHER)**

**S289016** B343176 Second Appellate District, Div. 7

Petition for review denied

**WEBB (RICHARD DEVONN)  
ON H.C.**

**S289020** A167972 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GUEVARA  
(ALEJANDRO VANEGAS)**

**S289021** G062202 Fourth Appellate District, Div. 3

Petition for review denied

**CHODOSH (FLOYD M.) v.  
PALM BEACH PARK  
ASSOCIATION**

**S289025** A167258 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. FITZPATRICK  
(JAMES)**

**S289027** H052853 Sixth Appellate District

Petition for review denied

**PORTEE (DAVID BERNARD)  
v. S.C. (PEOPLE)**

**S289028** F089039 Fifth Appellate District

The request for judicial notice is denied.  
The “motion to consolidate cases if court remands” is denied.  
The petition for review is denied.

**REINHARDT (DAVE) ON  
H.C.**

**S289034** B333737 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BOYD (DAVID THOMPSON)**

**S289039** A166197 First Appellate District, Div. 2

Petition for review denied

**IN RE N.T.**

**S289041** A169197 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MUALEVU (VUTORO)**

**S289042** C098643 Third Appellate District

Petition for review denied

**PEOPLE v. LOPEZ (RUBEN)**

**S289043** A166121 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. RIEDER (JESSE JOHN)**

**S289044** C099751 Third Appellate District

Petition for review denied

**PEOPLE v. ANDERSON (RASHAWN MAURICE)**

**S289046** B335455 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SWANIGAN (DAMON EDWARD)**

**S289048** A168485 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PERROT (SHAWN LEE)**

**S289053** C102804 Third Appellate District

Petition for review denied

**SILK (ELIJAH RAY LAMBERT) v. S.C. (PEOPLE)**

**S289054** C098388 Third Appellate District

Petition for review denied

**PEOPLE v. LOKEY (JERRY GENE)**

**S289055** F087539 Fifth Appellate District

Petition for review denied

**PEOPLE v. STONE (NICHOLAS SCOTT)**

**S289062** D082435 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VELARDE (JUAN)**

**S289064** F087585 Fifth Appellate District

Petition for review denied

**HOVANNISIAN (BRYCE D.) v. CITY OF FRESNO**

**S289071** B328859 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. RUIZ (RAMON VILLALOBOS)**

**S289077**

The petition for writ of mandate is denied.

**SINGH (RAGHVENDRA) v. COURT OF APPEAL, THIRD APPELLATE DISTRICT (PEOPLE)**

**S289079** A168607 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BELOY (JOSHUA M.)**

**S289080** F086593 Fifth Appellate District

Petition for review denied

**PEOPLE v. VASQUEZ (THOMAS MARTIN)**

**S289092** B330735 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MADDEN (JONATHAN)**

**S289094** B337957 Second Appellate District, Div. 6

Petition for review denied

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

**SAN LUIS COASTAL  
UNIFIED SCHOOL DISTRICT  
v. S.C. (JANE DOE)**

**S289118** B334707 Second Appellate District, Div. 6

The request for judicial notice is granted only as to the existence of the document, but not as to the contents of that document.

The petition for review is denied.

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

**ROE 2 v. S.C. (JOHN DOE 1)**

**S289119** C102871 Third Appellate District

Petition for review denied

**PEMBLETON (DEBORA) v.  
S.C. (RIDEOUT MEMORIAL  
HOSPITAL)**

**S289121** B341260 Second Appellate District, Div. 6

Petition for review denied

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

**VENTURA, COUNTY OF v.  
S.C. (D.A.)**

**S289123** G063099 Fourth Appellate District, Div. 3

Petition for review denied

**MANN (KORA) v. S.C.  
(PEOPLE)**

**S289124** A172299 First Appellate District, Div. 3

Petition for review denied

**TURNER (ANTHONY  
RICHARD) v. S.C. (PEOPLE)**

**S289125** B341258 Second Appellate District, Div. 6

Petition for review denied

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

**VENTURA, COUNTY OF v.  
S.C. (DIAZ)**

**S289126**      B330550 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CHESTER  
(SAMUEL)**

**S289128**      H051190 Sixth Appellate District

Petition for review denied

**BLEVINS (LISA) v. CITY OF  
SAN JOSE**

**S289134**      B333131 Second Appellate District, Div. 1

Petition for review denied

**IN RE D.B.**

**S289135**      E082386 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. COOK (ROGER  
DALE)**

**S289136**      G063164 Fourth Appellate District, Div. 3

Petition for review & depublication request(s) denied

**MENDEZ (LUIS) v. S.C.  
(PEOPLE)**

**S289137**      A172298 First Appellate District, Div. 3

Petition for review denied

**TURNER (ANTHONY  
RICHARD) v. S.C. (PEOPLE)**

**S289138**      B320936 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GUILLEN  
(RAYMOND)**

**S289141**      D081820 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VASQUEZ (JESUS  
ALFONSO BAUTISTA)**

**S289146**      G065094 Fourth Appellate District, Div. 3

Petition for review denied

**NGUYEN (PETER) v. S.C.  
(CALIFORNIA  
UNEMPLOYMENT  
INSURANCE APPEALS  
BOARD)**

**S289156**      F087245 Fifth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ  
(OSCAR)**

**S289161**      C099600 Third Appellate District

Petition for review denied

**PEOPLE v. SANUDO  
(MICHAEL ANGELO)**

**S289164**      F087326 Fifth Appellate District

Petition for review denied

**PEOPLE v. AMADOR  
(EDWARD JESSIE)**

**S289168**      F086488 Fifth Appellate District

Petition for review denied

**PEOPLE v. RANKIN (FRANK  
DELVON)**

**S289170**      B330426 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. MAGANA (ERICK  
ALEXANDER)**

**S289172**      A167691 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. DYER (ALFRED)**

**S289179**      B331425 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PERKINS  
(BRANDON)**



**S289180**      B328207 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MADRIGAL  
(JOAQUIN)**

**S289181**      F086672 Fifth Appellate District  
Petition for review denied

**PEOPLE v. PINTOR (NAIN J.)**

**S289182**

**CORONA, SR., (JOSE JUAN)  
v. COURT OF APPEAL,  
THIRD APPELLATE  
DISTRICT (PEOPLE)**

The petition for writ of mandate is denied.

**S289195**      B336601 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. NUNEZ (DANIEL  
ALEXANDER)**

**S289197**

**WILLIAMS (ALVIN E.) v. S.C.  
(BENLEY MOTORS INC.)**

Petition for review denied

**S289203**      B328911 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GONZALEZ  
(RAYMOND)**

**S289297**

**CRUPI (ANNUNZIATA) v.  
COURT OF APPEAL,  
SECOND APPELLATE  
DISTRICT, DIVISION FOUR  
(UNIVERSITY OF  
SOUTHERN CALIFORNIA)**

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

**S289316**

**LEWIS (SAMMEISO  
LEONARD) v. S.C. (PEOPLE)**

The petition for writ of mandate is denied.

**S289343****ESWARAN (SURESH) v.  
NEWSOM (GAVIN)**

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

**S289358****TURNER (ANTHONY  
RICHARD) v. S.C. (PEOPLE)**

Petition for writ of mandate/prohibition denied

**S289559**

B343931 Second Appellate District, Div. 3

**GHOBRIAL (GERGIS R.) v.  
S.C. (LONG BEACH  
MEMORIAL MEDICAL  
CENTER)**

Petition for review & application for stay denied

**S282522****PASCHAL (BENJAMIN) ON  
H.C.**

The request for judicial notice is granted.

The petition for writ of habeas corpus is denied.

**S283975****GIBSON (ROBERT  
DOUGLAS) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner alleges the district attorney and trial court were biased and that he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County.

The petition does not satisfy the statutory requirements for the appointment of counsel or the disclosure of discovery under the Racial Justice Act. (Pen. Code, §§ 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any relevant documentary evidence regarding the allegations of bias or regarding similarly situated individuals convicted of the same offense or establishing longer or more severe sentences were more frequently imposed on defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County. (*Id.*, § 745, subs. (a)(2), (a)(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas

corpus must include copies of reasonably available documentary evidence].)  
The request for counsel is denied. The petition for writ of habeas corpus is denied.

**S284879****CRUZ (PETER CASEY) 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].)

**S284903****JONES, JR., (HENRY  
ALEXANDER) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner alleges that various entities exhibited bias towards him because of his race and during in-court trial proceedings, various entities used racially discriminatory language about petitioner's race, ethnicity, or national origin.

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any documentary evidence in support of petitioner's Racial Justice Act claims. (*Id.*, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

**S285117****TIBBS (TODD J.) ON H.C.**

Petitioner's "Motion to filed exhibit under seal in support of petition for writ of habeas corpus" filed on May 23, 2024, is granted. (Cal. Rules of Court, rules 2.550(d), 8.46(b).) In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(d)(6). The clerk of this court is directed to file exhibit 45 under seal.

The petition for writ of habeas corpus is denied.

**S285491****STEVEN (EARNEST  
GLENFORD) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner alleges that he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County.

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any documentary evidence regarding similarly situated individuals convicted of the same offense or establishing longer or more severe sentences were more frequently imposed defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County. (*Id.*, § 745, subd. (a)(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

**S286408**

**YOKELY (SHON RAMONE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S286426**

**AUBRY (MARCUS M.) ON  
H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner claims the San Bernardino County Superior Court has engaged in a practice of sentencing African American defendants more severely than similarly situated defendants of other races, ethnicities, or national origins.

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition does not allege specific facts to support a claim that petitioner was sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (Pen. Code, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner adequately describe or attach supporting documentary evidence concerning his claim such as statistical evidence, aggregate data, or nonstatistical evidence demonstrating similarly situated defendants of other races, ethnicities, or national origins received more lenient sentences than petitioner. (Cf. *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

(See Concurring Statement by Justice Groban)

Concurring Statement by Justice Groban

On May 15, 2006, a California Highway Patrol officer pulled over petitioner Marcus Aubry for driving over 100 miles per hour on Interstate 15. Aubry was arrested for driving under the influence.

In 2008, a jury convicted Aubry of driving under the influence and driving with a blood-alcohol level over .08 percent. The trial court found Aubry had three prior strike convictions from a single incident in 1991. Aubry had driven his car while highly intoxicated into oncoming traffic and collided head-on with another car. The passengers in the car, two women and a three-year-old girl, were, tragically, killed in the crash. Aubry pled guilty to three counts of gross vehicular manslaughter and served 14 years in state prison.

Prior to sentencing in the 2008 case, Aubry requested that the trial court dismiss two of his prior strike convictions pursuant to Penal Code section 1385. (See *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497.) The trial court ultimately denied the request, but made the following statement:

“Now, I’m going to say this for the record. This is one of those cases where our system in my humble opinion . . . is woeful. And I’ll say this: I don’t think that this should be a life sentence. If I had the power not to make this a life sentence but make it something more than six years - because that’s the alternative. If I strike two strikes, I would aggravate you and give you - and double that so three times two is six versus 25 to life. There is just way too much time in between it. And I don’t have a choice other than those two extremes.

“What I think that your sentence should be, and like I told [defense counsel], I’m saying for the record, if I had the power to, it would be somewhere in between, and you would not have a life tail because I don’t think that this case warrants it. On the other hand, I don’t think that it warrants six years. I think it warrants significantly more time, but not a life sentence. But for whatever good it does, having heard this case – I’ve been in this business for almost 30 years, and that has made this case very difficult because of its disparity. There should be something - there should be a middle ground that you should be able to be sentenced to and there isn’t. And . . . I call on the Legislature and the reviewing court, perhaps, to find a way to do that.”

The trial court then sentenced Aubry pursuant to the “Three Strikes” law to 25 years to life.

I agree with my colleagues that Aubry fails to make a prima facie showing of entitlement to relief under the California Racial Justice Act of 2020. (Pen. Code, § 1473, subd. (e).) His petition for writ of habeas corpus does not allege specific facts to support a claim that Aubry was sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins.

I write separately to highlight that our denial of the petition does not necessarily preclude Aubry from obtaining relief at some point in the future, including:

- (1) by remedying the deficiencies in his habeas petition as identified in our denial order;
- (2) by pursuing any relief to which he may be entitled after this court decides *People v. Shaw*, review granted September 25, 2024, S286453;

- (3) a potential referral for recall and resentencing by the Secretary of the Department of Corrections and Rehabilitation, the Board of Parole Hearings, or the district attorney (see Pen. Code, § 1172.1, subd. (a)(3) [“The resentencing court may, in the interest of justice and regardless of whether the original sentence was imposed after a trial or plea agreement,” reduce or vacate the sentence]);
- (4) at a future parole suitability hearing (see Cal. Code Regs., tit. 15, § 2281, subd. (b) [“All relevant, reliable information available to the panel shall be considered in determining suitability for parole. Such information shall include . . . *the base and other commitment offenses*” (italics added)]; Pen. Code, § 4801, subd. (c)); <sup>(1)</sup>
- (5) pursuant to a commutation recommendation (see Pen. Code, § 4801, subd. (a) [“The Board of Parole Hearings may report to the Governor, from time to time, the names of any and all persons imprisoned in any state prison who, in its judgment, ought to have a commutation of sentence or be pardoned and set at liberty on account of good conduct, *or unusual term of sentence*, or any other cause . . . .” (italics added)]).

The Legislature also might consider solutions to address the problem identified by the trial court, whereby the only available options for sentencing were either a six-year term or a 25-year-to-life sentence. As the trial court suggested, perhaps there should be room for a “middle ground.”

<sup>(1)</sup> I understand that Aubry has previously been denied parole and I further understand that it is appropriate for the Board of Parole Hearings to consider “[a]ll relevant, reliable information,” including, inter alia, institutional behavior. (Cal. Code of Regs., tit. 15, § 2281, subd. (b); *id.*, subd. (c)(6).)

GROBAN, J.

We Concur:

LIU, J.

EVANS, J.

**S287229**

**JOHNSON (JEFFERY  
LONNELL) 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].)

**S287276**

**BURGHARDT (DARRYL  
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

**S287277****MAGEE, JR., (LOUIS  
TRUMAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

**S287297****BROOKS (ALFRED  
LAWRENCE) ON H.C.**

Petition for writ of habeas corpus denied

**S287358****SHOALS (BOBBY DIAL) 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].)

**S287402****GALAYAN (GENNADIY) ON  
H.C.**

Petition for writ of habeas corpus denied

**S287409****HAMPTON, JR., (GARY  
GRANT) ON H.C.**

Petition for writ of habeas corpus denied

**S287420****MEREDITH (AARON  
DAVON) ON H.C.**

Petition for writ of habeas corpus denied

**S287435****DeFELICE (THOMAS  
ENRICO) 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].)

**S287439****PINEDA-CRUZ (MIGUEL  
ANGEL) 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].)

**S287473****CRAMER, SR., (JAMES A.)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

**S287506****GADDY (MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

**S287521****FLORES (GEORGE) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner alleges that various entities exhibited bias towards him because of his race; during in-court trial proceedings, various entities used racially discriminatory language about petitioner's race, ethnicity, or national origin; he was charged or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated; prosecutors in Los Angeles County more frequently sought or obtained convictions for more serious offenses against people who share his race, ethnicity, or national origin; he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County; and longer or more severe sentences were more frequently imposed for the same offense on defendants in cases with victims of one race, ethnicity, or national origin than in cases with victims of other races, ethnicities, or national origins in Los Angeles County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any documentary evidence in support of petitioner's Racial Justice Act claims. (*Id.*, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a



petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The request for counsel is denied. The petition for writ of habeas corpus is denied.

**S287543**

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

**S287580**

**ALLAN (KELLY) 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].)

**S287589**

**CORRAL (MICHAEL DAVID)  
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].)

**S287591**

**LEWIS (TEDDY) ON H.C.**

Petition for writ of habeas corpus denied

**S287623**

**DELA CALZADA (JOVENCIO  
P.) ON H.C.**

The petition for writ of habeas corpus is denied. 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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

**S287624****HILL (TONY LEE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

**S287658****AYTMAN (TORIAN  
TERRELL) ON H.C.**

The petition for writ of habeas corpus is denied. 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 Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

**S287751****PRATT (RYANT TRIMALE)  
ON H.C.**

Petition for writ of habeas corpus denied

**S287766****HERRERA (MARK JAMES)  
ON H.C.**

Petition for writ of habeas corpus denied

**S287805****GIBSON (ROBERT  
DOUGLAS) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges he was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated and prosecutors in Los Angeles County more frequently sought or obtained convictions for more serious offenses against people who share his race, ethnicity, or national origin; and he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendants who share petitioner's race, ethnicity, or national origin than on others in Los Angeles County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The request for counsel is denied.

Petitioner "has not established a prima facie showing of entitlement to relief" at this time. (Pen.

Code, § 1473, subd. (e).) The petition fails to allege particularized facts that support a claim that petitioner was charged, convicted, or sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(3)-(4).)

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

**S288186****ARAUJO (DAVID ANGEL)  
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].)

**S288528****ISAMADE (CHIJOKE) ON  
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

**S288547****DOWNING (DONOVAN  
LAWRENCE) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner alleges he was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated and the prosecution more frequently sought or obtained convictions for more serious offenses against people who share petitioner’s race, ethnicity, or national origin in Yolo County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that petitioner was charged or convicted of a more serious offense than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(3); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The request for counsel is denied. The petition for writ of habeas corpus is denied.

**S288549**

**DOWNING (DONOVAN  
LAWRENCE) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner alleges he was charged with or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated and the prosecution more frequently sought or obtained convictions for more serious offenses against people who share petitioner's race, ethnicity, or national origin in Yolo County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence indicating petitioner was charged or convicted of a more serious offense than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(3); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The request for counsel is denied. The petition for writ of habeas corpus is denied.

**S288835**

**COLLIER (IRINA) ON H.C.**

Petition for writ of habeas corpus denied

**S288173**

E080850 Fourth Appellate District, Div. 2

**ALDACO (MARTHA) v.  
YORK ENTERPRISES  
SOUTH, INC.**

Publication request denied (case closed)

**S288309** E079255 Fourth Appellate District, Div. 2

**PEOPLE v. THOMPSON  
(JAMES ALVIN)**

Depublication requests denied (case closed)

**S288698** B327480 Second Appellate District, Div. 3

**KILPATRICK, JR., (ROBERT  
L.) v. CITY OF LOS  
ANGELES**

Publication request denied (case closed)

**S288872** G063020 Fourth Appellate District, Div. 3

**HAJJ (KATIA) v. DODGE  
(MICHAEL L.)**

Publication request denied (case closed)

**S288877** A168523 First Appellate District, Div. 3

**AVOYAN (SILVA) v. CITY OF  
SAN FRANCISCO**

Publication request denied (case closed)

**S288968** D081908 Fourth Appellate District, Div. 1

**JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION v.  
WARD (DAVID)**

Publication request denied (case closed)

**S288982**

**ADVANCED ORTHOPEDIC  
CENTER, INC. v. BLUE  
CROSS OF CALIFORNIA**

Publication request denied (case closed)

**S288751** C102630 Third Appellate District

**BUTLER (DARIUS) v. S.C  
(RUETER)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 22, 2025.

**S288922** A167809 First Appellate District, Div. 2

**PEOPLE v. SIMS  
(CHRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 22, 2025.

**S288952** H052652 Sixth Appellate District**PAKNAD (MICHELLE) v. S.C.  
(INTUITIVE SURGICAL,  
INC.)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 24, 2025.

**S288954** C097746/C097988 Third Appellate District**YAFFEE (DAVID) v. SKEEN  
(JOSEPH)**

The time for granting or denying review in the above-entitled matter is hereby extended to April 24, 2025.

**S097668****PEOPLE v. SHERMANTINE,  
JR., (WESLEY HOWARD)**

Motion denied

Respondent's "Motion to Reconsider Order Granting Appellant's Application for Permission to File Oversized Supplemental Opening Brief," filed February 28, 2025, is denied.

**S212161****PEOPLE v. WALTERS  
(MICHAEL J.)**

Order filed

Respondent's "Application to Unseal Records," filed on January 29, 2025, is construed as an application requesting copies of the documents at issue pursuant to California Rules of Court, rule 8.47(b)(2)(B) and, so construed, is granted in part and denied in part as follows. The Clerk is directed to provide respondent a copy of the Sealed Clerk's Transcript, Volume 1, pages 18-29. In all other respects the application is denied.

**S284496****OFFICE OF THE STATE  
PUBLIC DEFENDER v.  
BONTA (ROB)**

Motion to file document under seal granted

Petitioners' "Motion to Seal Portions of Application for Admission Pro Hac Vice," filed October 1, 2024, is granted. In ordering this sealing, this court makes the findings required by California Rules of Court, rules 2.550(d)-(e) and 8.46(d). The Clerk is directed to file under seal petitioners' "Application for Pro Hac Vice Admission of Gabriel Diaz," received on October 1, 2024.

The application of Gabriel Diaz for admission pro hac vice to appear on behalf of petitioners is granted. (See Cal. Rules of Court, rule 9.40.)

Petitioners' request for a stay pending final determination of this writ petition is denied. Further action is deferred pending consideration and disposition of a related issue in *Taking Offense v. State of California*, S270535, or pending further order of the court. Submission of additional briefing, if any, is deferred pending further order of the court.

**S189296****PEOPLE v. PANIAGUA, JR.,  
(RODRIGO ORTIZ)**

Transferred to Court of Appeal, Sixth Appellate District

The court is in receipt of respondent's "Notice of Resentencing to Term Less than Death," filed on November 1, 2024. The matter is transferred to the Court of Appeal, Sixth Appellate District. (Cal. Const., art. VI, § 12, subd. (a); Cal. Rules of Court, rule 10.1000(a)(1)(A).)

**S289721****REDICK III (STANLEY E.) v.  
S.C. (TUOLUMNE COUNTY)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S288641****ACCUSATION OF  
ESCAMILLA**

Petition denied (accusation)

**S288687****ACCUSATION OF RONEN**

Petition denied (accusation)

**S287670****KRAUSE ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied.

The court orders that ERNEST ROY KRAUSE (Respondent), State Bar Number 56343, is suspended from the practice of law in California for four 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 a minimum of the first three years of probation, and Respondent will remain suspended until providing 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 Decision filed on June 11, 2024.
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 Decision filed on June 11, 2024. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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].) 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.