

**SUPREME COURT MINUTES
WEDNESDAY, MAY 17, 2023
SAN FRANCISCO, CALIFORNIA**

S279137 A164021 First Appellate District, Div. 5 **STONE (TAMELIN) v.
ALAMEDA HEALTH
SYSTEM**

Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 88 Cal.App.5th 84, 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.)

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

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

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

S279242 A165451 First Appellate District, Div. 5 **MAKE UC A GOOD
NEIGHBOR v. THE
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA (RESOURCES
FOR COMMUNITY
DEVELOPMENT)**

Petition for review granted

The Regents of the University of California's petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 88 Cal.App.5th 656, 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.)

Make UC a Good Neighbor's petition for review is denied.

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

S270535 C088485 Third Appellate District

**TAKING OFFENSE v. STATE
OF CALIFORNIA**

Supplemental briefing ordered

The court requests supplemental briefing addressing the following issues:

1. Whether California recognizes a common law taxpayer standing doctrine to bring actions against state officials. In addressing this issue, the parties are asked to address, among other authority that may be relevant, the following: *Gogerty v. Coachella Valley Junior College Dist.* (1962) 57 Cal.2d 727, 730; *Ahlgren v. Carr* (1962) 209 Cal.App.2d 248, 252-254; *California State Employees' Assn. v. Williams* (1970) 7 Cal.App.3d 390, 395; *Chodosh v. Commission on Judicial Performance* (2022) 81 Cal.App.5th 248, 268.
2. If the common law provides taxpayer plaintiffs with standing to sue state officials, whether the plaintiff in this case has established any such standing. In addressing this issue, the parties are asked to address, among other authority that may be relevant, the following: *Silver v. City of Los Angeles* (1961) 57 Cal.2d 39, 40-41; *Los Altos Property Owners Assn. v. Hutcheon* (1977) 69 Cal.App.3d 22, 26; *California DUI Lawyers Assn. v. Department of Motor Vehicles* (2018) 20 Cal.App.5th 1247, 1264.

Opening supplemental briefs by the parties and any amicus curiae briefs shall be served and filed by June 14, 2023. Supplemental responsive briefs shall be served and filed by {21} days from the timely filing of the opening supplemental briefs.

S279024 F082309/F082434 Fifth Appellate District
Petition for review granted; briefing deferred

PEOPLE v. LUNA (BRYAN)

The petitions for review are 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.

S279081 E071681 Fourth Appellate District, Div. 2

**PEOPLE v. VENABLE, SR.,
(TRAVON RASHAD)**

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. Hin*, S141519 (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.

S279107 C095094 Third Appellate District **PEOPLE v. TOWNER**
(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. Reynoza*, S273797 (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.

S279147 E076449 Fourth Appellate District, Div. 2 **PEOPLE v. LEWIS**
(BRANDON EDWARD)

Petition for review granted; briefing deferred

The People's 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. Defendant's petition for review is denied.

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

S279198 A162599 First Appellate District, Div. 4 **PEOPLE v. JOHNSON**
(CHRISTOPHER M.)

Petition for review granted; briefing deferred

The People's petition for review is granted. Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Catarino*, S271828 (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. Defendant's petition for review is denied.

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

S279280 B315223 Second Appellate District, Div. 2 **PEOPLE v. TAMARIZ**
(URIEL)

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.

S279311 H047892 Sixth Appellate District

**PEOPLE v. BEJARANO III
(RODRIGO EDWARD)**

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. Hardin*, S277487 (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.

S279335 B319762 Second Appellate District, Div. 4

**PEOPLE v. EVANS (TERRY
TYRONE)**

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. Hardin*, S277487 (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.

S279423 D080380 Fourth Appellate District, Div. 1

**PEOPLE v. SANCHEZ
(HECTOR DANIEL)**

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. Braden*, S268925 (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.

S279425 B317264 Second Appellate District, Div. 1

**PEOPLE v. SMITH (DOCK
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. Mitchell*, S277314 (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.

S279458 E078723 Fourth Appellate District, Div. 2 **PEOPLE v. NGO (MY)**
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. Hardin*, S277487 (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.

S279466 C091622 Third Appellate District **PEOPLE v. SINIGUR
(VLADIMIR)**

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.

S279482 C095034 Third Appellate District **PEOPLE v. GONZALEZ-
RIVAS (ISMAEL)**

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.

S279485 E073979 Fourth Appellate District, Div. 2 **PEOPLE v. OLIVA (JOHN M.)**
Petition for review granted; briefing deferred

The People's petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rojas*, S275835 (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.

Defendant's petition for review is denied.

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

S279489 B317364 Second Appellate District, Div. 6 **IN RE D.R.**
Petition for review granted; briefing deferred

The People's petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rojas*, S275835 (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. Minor's petition for review is denied.

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

S276009 **RENGEL (GUSTAVO) ON
H.C.**

Order to show cause issued, returnable in Superior Court

The Secretary of the California Department of Corrections and Rehabilitation is ordered to show cause returnable before the Los Angeles County Superior Court, when ordered on calendar, limited to the issue of why petitioner's sentence is authorized as conceded by the Attorney General in his informal response filed in this court on March 23, 2023. (See *People v. Rodriguez* (2009) 47 Cal.4th 501.) The return must be served and filed on or before June 16, 2023.

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

S266706 E074875 Fourth Appellate District, Div. 2 **PEOPLE v. SEAHOLM
(CAMERON CHARLES)**

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S268248 E075782 Fourth Appellate District, Div. 2 **PEOPLE v.
RUFFINPATTERSON
(TERENCE ORMOND)**

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S269021 C091909 Third Appellate District **PEOPLE v. NAVARRO
(BALDEMAR)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S269698 C092437 Third Appellate District **PEOPLE v. LOVE (DAEVON
JAMELL)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S270690 E075821 Fourth Appellate District, Div. 2 **PEOPLE v. SLONE (TONY)**

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S271082 C093371 Third Appellate District **PEOPLE v. LEA (LARRY WAYNE)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S271531 E076965 Fourth Appellate District, Div. 2 **PEOPLE v. HERNANDEZ (CHRISTOPHER JOSEPH)**

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S272389 C092561 Third Appellate District **PEOPLE v. PARKS (CHARLES ANDRE)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S276543 C095912 Third Appellate District **PEOPLE v. BROOKS (JOSEPH RAY)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S276994 C096201 Third Appellate District

**PEOPLE v.
CHIEMWICHITRA
(TIMOTHY)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider whether to exercise its discretion to conduct an independent review of the record or provide any other relief in light of *People v. Delgadillo* (2022) 14 Cal.5th 216, 232-233 & fn. 6. (Cal. Rules of Court, rule 8.528(d).)

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

S278653 B320947 Second Appellate District, Div. 2
Petition for review denied

HURTADO (EDGAR) ON H.C.

S278991 H049775 Sixth Appellate District

**SHAPIRA (ADRIANA
BROMET GARNICA) v.
LACKENBACHER (TOMAS)**

Petition for review & publication request(s) denied

S278996 H048594 Sixth Appellate District

**PEOPLE v. DIAZ (ANTHONY
FELIX)**

Petition for review denied

S279076 A161350 First Appellate District, Div. 2

**VAN VOORHIS (BRUCE) v.
YEE (BETTY)**

Petition for review denied

S279100 A163130 First Appellate District, Div. 2

**DEGALA (ABRAHAM) v.
JOHN STEWART COMPANY**

Petitions for review denied

S279103

**YAGHOBYAN (HASMIK)v.
NATIONSTAR MORTGAGE
LLC**

Petition for review denied

S279109 A167113 First Appellate District, Div. 1

Petition for review & application for stay denied

**MANSELL-MOULLIN
(KATHERINE) v. S.C.
(HOSMER)**

S279110 A163633 First Appellate District, Div. 4

Petition for review denied

**NEWBOLT-BROWN
(VELTILENA) v.
CALIFORNIA DEPARTMENT
OF STATE HOSPITALS**

S279111 E079176 Fourth Appellate District, Div. 2
Petition for review denied

IN RE A.A.

S279114 H049332 Sixth Appellate District

Petition for review denied

**PEOPLE v. CHAMBERS
(LANDRUM KEITH)**

S279120 A163491 First Appellate District, Div. 3

Petition for review denied

**JPV I, L.P. v. KOETTING
(DAN)**

S279125 B300332 Second Appellate District, Div. 3

Petition for review denied

**LOS ANGELES UNIFIED
SCHOOL DISTRICT v. FH
PASCHEN/S.N. NIELSEN,
INC.**

S279151 C097980 Third Appellate District

Petition for review denied

**POWERMAX ELECTRICAL
CO., LTD., GUANGDONG v.
S.C. (FIRE INSURANCE
EXCHANGE)**

S279160 B326823 Second Appellate District, Div. 5

**WEINBERG (ERIC
MICHAEL) ON H.C.**

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Harris*, S272632.

S279208 B327000 Second Appellate District, Div. 6

**OJEDA (MARIO ALBERTO)
ON H.C.**

Petition for review denied

S279225

**PEOPLE v. McKINNEY
(ALONZO)**

Petition for review denied

S279230 C088570 Third Appellate District

**WU (REBECCA) v. TWIN
RIVERS UNIFIED SCHOOL
DISTRICT**

Petition for review & publication request(s) denied

S279243 C098067 Third Appellate District

**W. (M.) v. S.C.
(SACRAMENTO COUNTY
DEPARTMENT OF CHILD,
FAMILY & ADULT
SERVICES)**

Petition for review denied

S279247 E079623 Fourth Appellate District, Div. 2

**PEOPLE v. AVALOS
(VINCENT JOHNNY)**

Petition for review denied

S279256 A161920/A164153/A164268
First Appellate District, Div. 2

**PINSON-LEATHERMON
(KIMBERLY) v. LAWRENCE
(SHARALYN)**

Petition for review denied

S279257 G060992 Fourth Appellate District, Div. 3

**G COMPANIES
MANAGEMENT, LLC v.
LREP ARIZONA, LLC**

The applications to appear as counsel pro hac vice are granted. (Cal. Rules of Court, rule 9.40(a).)
The petition for review is denied.

S279268 C098077 Third Appellate District

**KELLEY (TSHOMBE M.) ON
H.C.**

Petition for review denied

S279276 A164998 First Appellate District, Div. 5

IN RE SOLINA S.

Petition for review denied

S279277 B320214 Second Appellate District, Div. 1

**PEOPLE v. NAVARRO (JOSE
LUIS)**

Petition for review denied

S279279 B320586 Second Appellate District, Div. 7

**ARCADIANS FOR
ENVIRONMENTAL
PRESERVATION v. CITY OF
ARCADIA (WU)**

Petition for review denied

S279281 F083730 Fifth Appellate District

**PEOPLE v. SMITH
(KENNETH)**

Petition for review denied

S279283 F083827 Fifth Appellate District

**PEOPLE v. RAMOS
(SALVADOR MADRIGAL)**

Petition for review denied

S279289 H047090 Sixth Appellate District

**PEOPLE v. NGUYEN (TAN
VAN)**

Petition for review denied

S279296 B311900 Second Appellate District, Div. 7

**TRUCK INSURANCE
EXCHANGE v. CALIFORNIA
CAPITAL INSURANCE
COMPANY**

Petition for review denied

S279304

**MORENO (JESSE) v. COURT
OF APPEAL, FIFTH
APPELLATE DISTRICT
(PEOPLE)**

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

S279306 B317977 Second Appellate District, Div. 5

**PEOPLE v. BARRAGAN
(ANTONIO RAUL)**

Petition for review denied

S279307 C092885 Third Appellate District

**PEOPLE v. DAILEY (MYRON
SARAHN)**

Petition for review denied

S279308 F082622 Fifth Appellate District

**PEOPLE v. LABARR
(PHILLIP EUGENE)**

Petition for review denied

S279310 H048752 Sixth Appellate District

**PEOPLE v. BLOOMER (ERIC
DAVID)**

Petition for review denied

S279312 F083303 Fifth Appellate District

**PEOPLE v. GUZMAN III
(JOSEPH GARCIA)**

Petition for review denied

S279313 C094603 Third Appellate District

**PEOPLE v. PRATT
(KEONDRE ALIJAH)**

Petition for review denied

S279314 D080238 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MERCADO
(JOSUE GUADALUPE)**

S279315 A167355 First Appellate District, Div. 3

Petition for review denied

**GREGORY (CHRISTOPHER
J.) ON H.C.**

S279316 B302559 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. MAYS (MARIEL)

S279323 F082649 Fifth Appellate District

Petition for review denied

**PEOPLE v. JIMENEZ
(MARCELO)**

S279324 H050249 Sixth Appellate District

Petition for review denied

**SPIELBAUER LAW OFFICE
v. MIDLAND FUNDING LLC**

S279325 F082484 Fifth Appellate District

Petition for review denied

**PEOPLE v. DHILLON
(BEANT KAUR)**

S279328

Petition for writ of mandate/prohibition denied

**SCOTT (FLOYD DEWAINÉ)
v. S.C. (PEOPLE)**

S279329 D079227 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. KENNEY
(CHRISTOPHER JAMES)**

S279334 F082413 Fifth Appellate District

Petition for review denied

**PEOPLE v. IBARRA-PINEDA
(JOSE JUAN)**

S279336 H049359 Sixth Appellate District

Petition for review denied

**PEOPLE v. UNG (KALVIN
KIMBO)**

S279338 B315044 Second Appellate District, Div. 2

Petition for review denied

**VENTURE CAPITAL WEST,
LP v. SHEVTSOV (TATYANA)**

S279339 G060073 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ARMIJO
(MICHAEL RAY)**

S279340 F082692 Fifth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ
(JOSE MANUEL)**

S279342 D080557 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DEPOLO (MIKE
ANTHONY)**

S279344 H046911 Sixth Appellate District

Petition for review denied

**PEOPLE v.
GONZALEZ (JUAN
MANUEL)**

S279349 C094818 Third Appellate District

Petition for review denied

**PEOPLE v. STUART
(ANTHONY DEMONE)**

S279351 B318070 Second Appellate District, Div. 2

Petition for review denied

**JANE DOE v. COUNTY OF
LOS ANGELES**

S279352 H048866 Sixth Appellate District

Petition for review denied

IN RE C.C.

S279354 D079103 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DUNLAP
(WILLIAM)**

S279355 C096425 Third Appellate District

Petition for review denied

**PEOPLE v. DIAZ (SIMON
LUA)**

S279361 B310169/B319180 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SERRANO
(GILBERT ISRAEL)**

S279363 H048100 Sixth Appellate District

Petition for review denied

**PEOPLE v. RECORD (IDRIS
MALIK)**

S279372 B317371 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SMITH (RODNEY
TOMMY)**

S279385 D080927 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LaBARRE
(LUCAS ELI)**

S279392 B316236 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. GASPAR
(REBECCA)**

S279393 C093992 Third Appellate District

Petition for review denied

PEOPLE v. AVILA (ISABEL)

S279394 G060755 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ALATORRE
(CASSEY DELGADO)**

S279395 A163873 First Appellate District, Div. 4

**PEOPLE v. ROBINSON
(MARIUS)**

Petition for review denied

S279396 B322702 Second Appellate District, Div. 5

**PEOPLE v. SCROGGINS
(RANDY)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

S279403 G061402 Fourth Appellate District, Div. 3

**PEOPLE v. FAIRCHILD
LITTLEFIELD (GIGI)**

Petition for review denied

S279411 H048807 Sixth Appellate District

**PEOPLE v. FURTADO
(ANDRE)**

Petition for review denied

S279428 H050629 Sixth Appellate District

**DANIELS (JAMES) v. S.C.
(PEOPLE)**

Petition for review denied

S279435 B319599 Second Appellate District, Div. 6

**PEOPLE v. HUNTER (EDDIE
HENRY)**

Petition for review denied

S279437 F084209 Fifth Appellate District

**PEOPLE v. ANGUIANO
(JESUS NABARETTE)**

Petition for review denied

S279438

**FENG (KARENA) v. COURT
OF APPEAL, FIRST
APPELLATE DISTRICT,
DIVISION THREE (SAN
FRANCISCO HUMAN
SERVICES AGENCY)**

Petition for writ of certiorari denied

S279439

Petition for writ of mandate/prohibition denied

**DUMBRAVA (SEBASTIAN
BOGDAN) v. S.C. (PEOPLE)****S279442** A163331 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. WEATHERSBY
(KENNETH LEE)****S279443** C093156 Third Appellate District

Petition for review denied

**PEOPLE v. O'CONNELL
(MICHAEL PATRICK
BRIAN)****S279444** D080110 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MEDINA
(CHRISTINA)****S279445** B316424 Second Appellate District, Div. 4

The petition for review is denied.

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

**BEAM (TREVOR) v. HARDIN
(TERRENCE)****S279448** G062469 Fourth Appellate District, Div. 3

Petition for review denied

**DUMBRAVA (SEBASTIAN) v.
S.C. (PEOPLE)****S279449** A164636 First Appellate District, Div. 3

Petition for review denied

**HIRLE (GINA) v. STEVENS
(MARLON)****S279451** B327405 Second Appellate District, Div. 7

Petition for review denied

FINK (DAVID) ON H.C.**S279452** B324962 Second Appellate District, Div. 8

Petition for review denied

**PATEL (SHANKER
CHHAGANBAHI) ON H.C.**

S279453 D079605 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RODGERS
(MILTON MELVIN)**

S279460 B315497 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. STEFIN
(TAVARES)**

S279463 H047138 Sixth Appellate District

Petition for review denied

**C. (CASSIE) v. C. (MITCHEL);
SANTA CRUZ COUNTY
DEPARTMENT OF CHILD
SUPPORT SERVICES**

S279464 E078554 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. EDWARDS
(JAMACEEO JAMON)**

S279467 D079679 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GRIZZLE
(ELLIOTT SCOTT)**

S279471 G060693 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. LEMUS (OSCAR)

S279475 A164627 First Appellate District, Div. 2

Petition for review denied

**MARTIN (SONYA E.) v.
BERKELEY UNIFIED
SCHOOL DISTRICT**

S279480 B303405/B303636 Second Appellate District, Div. 1 **PEOPLE v. GALLOWAY**

(JAYVION TERRELL)

Petition for review denied

S279481 B298450 Second Appellate District, Div. 5

Petition for review denied

PEOPLE v. RILEY (SAID)

S279493 D079158 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ADAMS
(MICHAEL DELANO)**

S279494 F077198 Fifth Appellate District

Petition for review denied

**PEOPLE v. LIMON (SABRINA
LEIGH)**

S279495 C096211 Third Appellate District

Petition for review denied

PEOPLE v. HER (VICHUAN)

S279498 B313960 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. MEJIA (JOSUE
MANUEL)**

S279507 A165821 First Appellate District, Div. 5

Petition for review denied

**GERALD C. FOX
FOUNDATION v. FOX
(RICHARD B.)**

S279508 B316904 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SMITH III
(FRANK LEE)**

S279509

Petition for review denied

PEOPLE v. PAGE (RICHARD)

S279523

Petition for writ of mandate/prohibition denied

**DUMBRAVA (SEBASTIAN) v.
S.C. (PEOPLE)**

S279580 C098301 Third Appellate District

Petition for review & application for stay denied

**JOHNSON (CHRISTIAN L.) v.
S.C. (DEPARTMENT OF
TRANSPORTATION)**

S279634 G062477 Fourth Appellate District, Div. 3

Petition for review denied

**DUMBRAVA (SEBASTIAN) v.
S.C. (PEOPLE)**

S279648

Petition for writ of mandate/prohibition denied

**DUMBRAVA (SEBASTIAN) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION THREE
(PEOPLE)**

S277779

Petition for writ of habeas corpus denied

STONE (ADAM JAY) ON H.C.

S277878

Petition for writ of habeas corpus denied

**FRASER (JAMES
ROBERTSON) ON H.C.**

S277993

The petition for writ of habeas corpus is denied as moot.

**AVILA (GABRIEL LOUIS)
ON H.C.**

S278105

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].)

**WINSLOW II (KELLEN B.)
ON H.C.**

S278107

Petition for writ of habeas corpus denied

BUTTS (WILLIE) ON H.C.

S278135

Petition for writ of habeas corpus denied

**HUGHES II (LAWRENCE
PARKER) ON H.C.**

S278136

Petition for writ of habeas corpus denied

TSHITUNGI (MIEL) ON H.C.

S278141

Petition for writ of habeas corpus denied

TRAN (HUY TRONG) ON H.C**S278145**

Petition for writ of habeas corpus denied

**KILBOURN (GARY L.) ON
H.C.****S278327**

Petition for writ of habeas corpus denied

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

V. (S.) ON H.C.**S278417**The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)**CAETANO (NATHANIEL
DWAYNE) ON H.C.****S278430**Petition for writ of habeas corpus denied
Evans, J., was recused and did not participate.**MITCHELL (DAMIAN LEON)
ON H.C.****S278433**

Petition for writ of habeas corpus denied

STONE (ADAM JAY) ON H.C.**S278439**

Petition for writ of habeas corpus denied

LUO (XINGFEI) ON H.C.**S278444**

Petition for writ of habeas corpus denied

**RUSSELL II (BRIAN JAMES)
ON H.C.****S278588**

Petition for writ of habeas corpus denied

**TORRES (SERGIO
PERALTA) ON H.C.**

S278605**GARCIA (ALBERT M.) ON
H.C.**

Petition for writ of habeas corpus denied

S278619**PATTON (DERRICK T.) 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].)

S278626**POSLOF, SR., (LONNIE LEE)
ON H.C.**

The petition for writ of habeas corpus is denied. 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]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

S278680**McPHERSON (MICHAEL) 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].)

S278681**VILLALOBOS (LEOPOLDO)
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].)

S278683**MANOOKI (ERIK) ON H.C.**

Petition for writ of habeas corpus denied

S278697**TORRES (SERGIO
PERALTA) ON H.C.**

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

S278713**CASASOLA (CATARINO V.)
ON H.C.**

Petition for writ of habeas corpus denied

S278758**McGINNIS, JR., (NORMAN)
ON H.C.**

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].)

S278807**SUAREZ (FRANCISCO J.) ON
H.C.**

Petition for writ of habeas corpus denied

S278812**AUBRY (MARCUS) 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].)

S278837**ALCALA (RAUL) ON H.C.**

Petition for writ of habeas corpus denied

S278849**DUCLER (NIKO T.) ON H.C.**

Petition for writ of habeas corpus denied

S278854**FELIX (EFREN) ON H.C.**

Petition for writ of habeas corpus denied

S278858**KRAMER (ANDREW) 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].)

S278860**PRICE (SCOTT RICHARD)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S278890**RIVERA (MICHAEL
ALEXANDER) ON H.C.**

Petition for writ of habeas corpus denied

S278891**BENSON (ARVIN) ON H.C.**

Petition for writ of habeas corpus denied

S278921**PIERRE-JONES (DAVID
ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied

S278929**PIERCE (SEBREN
ABBALUM) ON H.C.**

Petition for writ of habeas corpus denied

S278932**JOHNSON (CLEOPHUS
EUGENE) ON H.C.**

Petition for writ of habeas corpus denied

S278938**DALTON (ALVIN) ON H.C.**

Petition for writ of habeas corpus denied

S278940**BROWN (JAMES RAY) ON
H.C.**

Petition for writ of habeas corpus denied

S278942**WALKER (ROY) 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].)

S278951**MORALES (DAVID HANS)
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].)

S279049**GREEN (RODNEY) ON H.C.**

Petition for writ of habeas corpus denied

S279058**FREENY (RICKY ALLEN) ON
H.C.**

Petition for writ of habeas corpus denied

S279118**COUZENS (DAVID) ON H.C.**

Petition for writ of habeas corpus denied

S279317**TORRES (SERGIO
PERALTA) ON H.C.**

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

S279369**AL-ZAGHARI (EVA) ON H.C.**

Petition for writ of habeas corpus denied

S279408**VERA (GUILLERMO MEMO)
ON H.C.**

Petition for writ of habeas corpus denied

S279500**PHILLIPS, JR., (ERIC
JEROME) 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].)

S279590**DENNIS (MICHAEL
ANDREW) ON H.C.**

Petition for writ of habeas corpus denied

S279605**CIOTTA (STEVEN) ON H.C.**

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

S279624**RIVERA (MICHAEL
ALEXANDER) ON H.C.**

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

S279653**HALL (NATHANIEL
VERNON) ON H.C.**

Petition for writ of habeas corpus denied

S278804 C095601 Third Appellate District**WHEELER (RICHARD) v.
SAFEWAY, INC.**

Publication requests denied (case closed)

S278877 C093530 Third Appellate District**SINGH (MANJINDER) &
RANDHAWA (NAMRATA),
MARRIAGE OF**

Publication request denied (case closed)

S169152**PEOPLE v. COLBERT
(TECUMSEH)**

Order filed

Appellant's Request for Hearing on Motion for Stay of Appeal and Limited Remand, filed April 25, 2023, is denied. Appellant's Motion for Stay of Appeal, filed March 24, 2023, is denied. Further, the court is in receipt of appellant's letter dated March 24, 2023, stating an intent to file a supplemental opening brief before oral argument raising claims under the California Racial Justice Act of 2020 (Pen. Code, § 745). While the court reserves the question of whether such claims are cognizable on direct appeal, appellant may file any supplemental brief no later than June 14, 2023. The People may file a response no later than June 28, 2023, and the appellant may file a reply no later than July 5, 2023.

S267138

H046164 Sixth Appellate District

**PEOPLE v. MARTINEZ
(MONICA MARIE)**

Order filed

At oral argument, counsel indicated they had not received the court's focus letter, dated April 26, 2023, asking them to be prepared to discuss *Dun & Bradstreet, Inc. v. Greenmoss Builders* (1985) 472 U.S. 749, *Trans Union Corp. v. F.T.C.* (D.C. Cir. 2001) 245 F.3d 809, and *U.S. West, Inc. v. F.C.C.* (10th Cir. 1999) 182 F.3d 1224. The parties are accordingly ordered to file simultaneous supplemental letter briefs addressing the relevance of those cases, if any, to determining the level of First Amendment scrutiny applicable to the challenged regulation in this case. The letter briefs shall be filed by May 31, 2023. Absent further order of this court, the matter will be submitted on May 31, 2023. (Cal. Rules of Court, rule 8.524(h)(1).)

S275530 B307156/B312647 Second Appellate District, Div. 1 **GERRO (GEORGE J.) v.****BLOCKFI LENDING, LLC**

Order filed

The joint request for partial dismissal of review filed by petitioner Scratch Services, LLC and respondent George Gerro on April 3, 2023, is granted. Review is dismissed only as between Scratch Services, LLC and Gerro. The Court of Appeal is instructed to dismiss the appeals in Court of Appeal case nos. B307156 and B312647 as against Scratch Services, LLC only, and to issue a partial remittitur as to Gerro's claims against Scratch Services, LLC only. This court otherwise retains review in this matter, subject to the bankruptcy stay that remains in effect.

S278446**ATLAS (TYSON) ON
CLEMENCY**

Order filed

The “Motion of the San Bernardino County District Attorney’s Office for Briefing and Argument” is denied.

S279380**TAYLOR (BEVERLY) ON
CLEMENCY**

Order filed

The clerk shall return the record to the Governor, who is hereby ordered to resubmit the record to the court no later than June 16, 2023, in the manner prescribed by California Rules of Court, rules 8.45 and 8.46(d)(2)-(5) and Administrative Order 2021-05-26. The court will review the proposed redactions and then make the findings required by California Rules of Court, rules 2.550(d) and (e) and 8.46(d)(6), if and as appropriate. Insofar as judicial direction may be required prior to the disclosure of probation reports, records containing summary criminal history information, and material drawn from the applicant's prison case records file, this order hereby provides such direction. (See Pen. Code, §§ 1203.05, subd. (c), 11105, subd. (h); Cal. Code Regs., tit. 15, § 3370, subd. (e).) The Governor may seek leave to file portions of these reports and records under seal to the extent they qualify for such filing under the standards set forth in Administrative Order 2021-05-26 and the Rules of Court.

S278747**MATTHEWS ON
REINSTATEMENT**

Petitioner reinstated

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

S278865**ACCUSATION OF HAGE**

Petition denied (accusation)

S279236**ACCUSATION OF
BRASUELL**

Petition denied (accusation)

S279253

Petition denied

(accusation)

**ACCUSATION OF
ARCHULETTA**

S279258

Petition denied

(accusation)

**ACCUSATION OF
ARCHULETTA**



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN DIEGO SESSION
JUNE 6, 2023**

In November 2022 the Supreme Court resumed in-person oral argument in its San Francisco courtroom. Beginning in 2023, the court will resume its practice of conducting some in-person argument sessions in locations other than San Francisco. As with oral arguments conducted in San Francisco, counsel will have the option to appear in person at these sessions, 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 the courtroom at 750 B Street, Suite 300, San Diego, California, on June 6, 2023.

TUESDAY, JUNE 6, 2023 — 9:00 A.M.

- (1) Camacho (Ciro) v. Superior Court of Merced County (People, Real Party in Interest), S273391
- (2) People v. Gray (Dontrae), S269237
- (3) People v. Schuller (Jason Carl), S272237

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).)