

**SUPREME COURT MINUTES
THURSDAY, MAY 25, 2023
SAN FRANCISCO, CALIFORNIA**

S271828 D078832 Fourth Appellate District, Div. 1 **PEOPLE v. CATARINO
(EDGAR SANDOVAL)**

Opinion filed: Judgment affirmed in full

Because section 667.6(d) falls within the rationale of *Ice*, its operation does not violate the rule of *Apprendi* and *Alleyne*. We affirm the judgment of the Court of Appeal.

Majority Opinion by Liu, J.

-- joined by Guerrero, C. J., Corrigan, Kruger, Groban, Jenkins, and Evans, JJ.

S273134 B304490 Second Appellate District, Div. 6 **PEOPLE v. COOPER
(ROBERT)**

Opinion filed: Judgment reversed

For the above reasons, we reverse the Court of Appeal’s affirmance of Cooper’s gang enhancement.¹¹ Since the firearm enhancement alleged under section 12022.53, subdivision (e)(1), is contingent on a true finding on the gang enhancement under section 186.22, we reverse the Court of Appeal’s affirmance of that firearm enhancement as well, and remand the case to the Court of Appeal with instructions to remand the case to the superior court for any retrial of the same. (See *Lopez, supra*, 73 Cal.App.5th at pp. 346-348; *E.H., supra*, 75 Cal.App.5th at p. 480 [“The proper remedy for this type of failure of proof - where newly required elements were ‘never tried’ to the jury - is to remand and give the People an opportunity to retry the affected charges”].)

Majority Opinion by Groban, J

-- joined by Guerrero, C. J., Corrigan, Liu, Kruger, Jenkins, and Evans, JJ.

S279343 D079927 Fourth Appellate District, Div. 1 **BEST REST MOTEL, INC. v.
SEQUOIA INSURANCE
COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2023.

S279346 B313903 Second Appellate District, Div. 2 **GORDON (BRUCE) v. ERVIN
COHEN & JESSUP LLP**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2023.

S279348 C095943 Third Appellate District **IN RE J.J.**
The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2023.

S279366 B313272 Second Appellate District, Div. 2 **JUAREZ (MAIRA E. DUARTE) v. WARD (DAVID S.); THE ACADEMY OF MOTION PICTURE ARTS & SCIENCES**

The time for granting or denying review in the above-entitled matter is hereby extended to July 3, 2023.

S279374 D080046 Fourth Appellate District, Div. 1 **V. (L.) v. C. (E.)**
The time for granting or denying review in the above-entitled matter is hereby extended to July 5, 2023.

S279386 C088553 Third Appellate District **PEOPLE v. MARSH (DANIEL WILLIAM)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 5, 2023.

S279389 B322733 Second Appellate District, Div. 4 **SCOTTSDALE INSURANCE COMPANY v. PARMERLEE (LISA), LALLY (THOMAS C.), & LALLY (NANCY G.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 6, 2023.

S279431 D079328 Fourth Appellate District, Div. 1 **GOLU (DORIAN) v. LINGES (STEPHEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2023.

S279436 D079835 Fourth Appellate District, Div. 1 **BILLAUER (JOSHUA) v. ESCOBAR-ECK (OLGA MARCELA)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2023.

S279441 A164407 First Appellate District, Div. 2 **GOSTEV (PAVEL) v. SKILLZ
PLATFORM, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2023.

S279457 A167326 First Appellate District, Div. 3 **NARANG (KAMAL) v. S.C.
(NARANG)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2023.

S279461 B310636 Second Appellate District, Div. 8 **GERAGOS (MARK) v.
ABELYAN (ARMEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 7, 2023.

S279474 D080055 Fourth Appellate District, Div. 1 **ELSNER (LINDA KAY) v.
SAN DIEGO GAS &
ELECTRIC COMPANY**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2023.

S279477 B313754 Second Appellate District, Div. 4 **IN RE J.M.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 10, 2023.

S279497 G062371 Fourth Appellate District, Div. 3 **COOPER (TAWANA JEAN) v.
S.C. (OPTUM SERVICES,
INC.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 12, 2023.

S279499 **BROWN (RONNIE) v.
COUNTY OF LOS ANGELES**

The time for granting or denying review in the above-entitled matter is hereby extended to July 12, 2023.

S271869 H045791 Sixth Appellate District

**CHEVRON U.S.A., INC. v.
COUNTY OF MONTEREY;
PROTECT MONTEREY
COUNTY**

Motion for judicial notice granted

The request for judicial notice filed on March 28, 2022, is hereby granted.

S279743 E080073 Fourth Appellate District, Div. 2
Order filed

IN RE ROBERT F.

The motion filed by appellant to file an amended petition for review is hereby granted. The petition for review filed on May 15, 2023, is hereby ordered stricken.

**SUPREME COURT MINUTES
THURSDAY, MAY 25, 2023
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California reconvened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 25, 2023, at 9:00 a.m.

Present: Chief Justice Guerrero, presiding, and Associate Justices Corrigan, Liu, Kruger, Groban, Jenkins, and Evans.

Officer present: Jorge Navarrete, Clerk and Executive Officer.

S272166

Jane S.D. Doe et al., Petitioners,

v.

Superior Court of Los Angeles County, Respondent;
Mountain View School District, Real Party in Interest.

Cause called. Holly N. Boyer argued for Petitioners.
Lann G. McIntyre argued for Real Party in Interest.

Ms. Boyer replied.

Cause submitted.

S267746

Allied Premier Insurance, a Risk Retention Group, a Connecticut corporation, Plaintiff and Respondent,

v.

United Financial Casualty Company, an Ohio corporation, Defendant and Appellant.

Cause called. Peder K. Batalden, argued for Appellant.
Hillary Arrow Booth argued for Respondent.

Mr. Batalden replied.

Cause submitted.

S271054

Debra Turner, Plaintiff and Appellant,
v.
Laurie Anne Victoria et al., Defendants and Respondents.

Cause called. Steven M. Strauss argued for Appellant.
Robert W. Brownlie argued for Respondents.
Scott A. Edelman argued for Respondents.

Mr. Strauss replied.
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the court and officer present as first shown.

S273630

Kristina Raines, Darrick Figg, individually and on behalf of all others
similarly situated, Plaintiffs and Appellants,
v.
U.S. Healthworks Medical Group, a corporation; Select Medical Holdings
Corporation, a corporation; Concentra Group Holdings LLC, a corporation;
US Healthworks, Inc., a corporation; Select Medical Corporation, a
corporation; Concentra Inc., a corporation; Concentra Primary Care of
California, a medical corporation; Occupational Health Centers of
California, a medical corporation; Does 4 and 8 through 10, inclusive,
Defendants and Respondents.

Cause called. R. Scott Erlewine argued for Appellants.
Raymond A. Cardozo argued for Respondents.

Mr. Erlewine replied.
Cause submitted.

Associate Justice Carol A. Corrigan is recused in the following case and will not join the bench; however, the Honorable Michael J. Raphael, Associate Justice, Court of Appeal, Fourth Appellate District, Division Two, will take her place and now has joined the bench under assignments by the Chairperson of the Judicial Council.

S271869 Chevron U.S.A. Inc. et al., Plaintiffs and Respondents,
v.
County of Monterey, Defendant;
Protect Monterey County et al., Interveners and Appellants.

Cause called. Kevin P. Bundy argued for Appellants.
Theodore J. Boutrous argued for Respondents.

Mr. Bundy replied.
Cause submitted.

Justice Raphael departed the bench. Justice Corrigan rejoined the bench.

The Chief Justice Patricia Guerrero is recused in the following case and will not join the bench; however, the Honorable Ronald B. Robie, Associate Justice, Court of Appeal, Third Appellate District, will take her place and now has joined the bench under assignments by the Chairperson of the Judicial Council.

S271049 The People, Plaintiff and Respondent,
v.
Ahmed Mumin, Defendant and Appellant.

Cause called. Raymond M. DiGuiseppe argued for Appellant.
Elizabeth Eng, Office of the State Public Defender, argued for
Amicus Curiae.
Minh U. Le, Office of the Attorney General, argued for Respondent.

Mr. DiGuiseppe replied.
Cause submitted.

Court adjourned.