

**SUPREME COURT MINUTES
MONDAY, JUNE 10, 2024
SAN FRANCISCO, CALIFORNIA**

S173784**PEOPLE v. OYLER
(RAYMOND LEE)**

Extension of time granted

Upon application of counsel Michael Clough, an extension of time in which to serve and file appellant's supplemental opening brief is granted to July 8, 2024. After that date, only one further extension totaling about 30 additional days is contemplated. Within 30 days after any supplemental opening brief has been filed pursuant to this order, the People may serve and file a supplemental answering brief, not to exceed 50 pages in length. Appellant may thereafter serve and file a reply, not to exceed 25 pages in length, within 20 days after the People have filed their supplemental answering brief.

S180711**PEOPLE v. KLING
(RANDOLPH CLIFTON)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's supplemental opening brief is extended to August 13, 2024.

S225017**PEOPLE v. KING (COREY
LYNN)**

Extension of time granted

Based upon counsel Deputy Attorney General Stacy S. Schwartz's representation that the respondent's brief is anticipated to be filed by October 7, 2024, an extension of time in which to serve and file that brief is granted to August 13, 2024. After that date, only one further extension totaling about 55 days is contemplated.

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

S239963**PEOPLE v. MEZA
(HERACLIO)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to August 13, 2024.

S241359**PEOPLE v. RHOADES
(CHERIE LOUISE)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to August 16, 2024.

S283128 H049983 Sixth Appellate District**GUTIERREZ (FRANCISCO)
v. TOSTADO (URIEL)**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to July 17, 2024.

S283862 A165558 First Appellate District, Div. 4
Application to appear as counsel pro hac vice granted**GILEAD TENOFOVIR CASES**

The application of Robert K. Jenner for admission pro hac vice to appear on behalf of real parties in interest, Gilead Tenofovir Cases is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S278481 A162709 First Appellate District, Div. 4**JOHN'S GRILL, INC. v. THE
HARTFORD FINANCIAL
SERVICES GROUP, INC.**

Order filed

Evan Bianchi's request, filed on June 7, 2024, to withdraw as counsel for respondents is granted.

S280846 D080008 Fourth Appellate District, Div. 1**SHOWA HOSPITALITY, LLC
v. SENTINEL INSURANCE
COMPANY, LIMITED**

Order filed

Evan Bianchi's request, filed on June 7, 2024, to withdraw as counsel for respondent is granted.

S284528**CAPOZZI ON DISCIPLINE**

Recommended discipline imposed

The court orders that NICHOLAS ANTHONY CAPOZZI (Respondent), State Bar Number 275568, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first two years of probation, and Respondent will remain suspended until the following requirements are satisfied:
 - i. Respondent makes restitution to the following payees or such other recipient as may be designated by the Office of Probation or the State Bar Court (or reimburses the Client Security Fund, to the extent of any payment from the Fund to such payees, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles. Reimbursement to the Fund is enforceable as a money judgment and may be collected by the State Bar through any means permitted by law:
 - (1) Beverly Lynn Davies in the amount of \$3,000 plus 10 percent interest per year from August 12, 2019;
 - (2) Mahendra Prasad in the amount of \$8,500 plus 10 percent interest per year from December 17, 2019;
 - (3) Luis Javier Beltran in the amount of \$8,000 plus 10 percent interest per year from May 5, 2019;
 - (4) Rick Allan Rice II in the amount of \$7,500 plus 10 percent interest per year from August 16, 2021;
 - (5) John Kent Mayberry III in the amount of \$7,500 plus 10 percent interest per year from July 4, 2021;
 - (6) Alan Sanchez in the amount of \$7,500 plus 10 percent interest per year from January 12, 2022;
 - (7) Mark Garcia in the amount of \$15,776.16 plus 10 percent interest per year from August 12, 2019; and
 - (8) Michael Williams in the amount of \$3,100 plus 10 percent interest per year from June 12, 2023.
 - ii. Respondent must provide proof to the State Bar Court of rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)

2. Respondent must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 5, 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 Order Approving Stipulation filed on March 5, 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 20210101) 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. One-third of the costs must be paid with Respondent's annual fees for each of the years 2025, 2026, and 2027. If Respondent fails to pay any installment as described above, or as may be modified in writing by the State Bar or the State Bar Court, the remaining balance is due and payable immediately.

S285308**BERUBE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOCELYN ELEANOR BERUBE, State Bar Number 122690, as an attorney of the State Bar of California is accepted

S285309**BOAS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JEFFERY CHARLES BOAS, State Bar Number 208728, as an attorney of the State Bar of California is accepted.

S285310

**BRITTAIN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of HOWARD BISCUM BRITTAIN, State Bar Number 218753, as an attorney of the State Bar of California is accepted.

S285311

BUBIER ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of JEFFREY THANE BUBIER, State Bar Number 125134, as an attorney of the State Bar of California is accepted.

S285312

**EDWARDS ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MATTHEW DEREK EDWARDS, State Bar Number 135463, as an attorney of the State Bar of California is accepted.

S285313

**FERNANDEZ ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ZORAIDA DEL SOCORRO FERNANDEZ, State Bar Number 261598, as an attorney of the State Bar of California is accepted.

S285314

**GUNTER III ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROY CHALMERS GUNTER III, State Bar Number 66055, as an attorney of the State Bar of California is accepted.

S285315

KEELING ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL CHANCEY KEELING, State Bar Number 279662, as an attorney of the State Bar of California is accepted.

S285316**KRUP ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LEONARD GARY KRUP, State Bar Number 49572, as an attorney of the State Bar of California is accepted.

S285317**LEIST ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JEFFREY JENNINGS LEIST, State Bar Number 101016, as an attorney of the State Bar of California is accepted.

S285318**LEONARD ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM MICHAEL LEONARD, State Bar Number 82275, as an attorney of the State Bar of California is accepted.

S285320**MANLEY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SALLIE ANN MANLEY, State Bar Number 145724, as an attorney of the State Bar of California is accepted.

S285321**NUNES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BIANCA MARIE NUNES, State Bar Number 299367, as an attorney of the State Bar of California is accepted.

S285322**PFISTERER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JESSICA RACHEL PFISTERER, State Bar Number 278862, as an attorney of the State Bar of California is accepted.

S285323

**ROSENTHAL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DEBORAH ANN ROSENTHAL, State Bar Number 190368, as an attorney of the State Bar of California is accepted.

S285324

RYAN ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES THADDEUS RYAN, State Bar Number 135791, as an attorney of the State Bar of California is accepted.

S285325

**SALISBURY ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOHN POWERS SALISBURY, State Bar Number 244093, as an attorney of the State Bar of California is accepted.

S285326

STERIOS ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of DARLA KAYE STERIOS, State Bar Number 124108, as an attorney of the State Bar of California is accepted.

S285327

**STEVENSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHELE Z. STEVENSON, State Bar Number 180882, as an attorney of the State Bar of California is accepted.