

**SUPREME COURT MINUTES
WEDNESDAY, JUNE 18, 2025
SAN FRANCISCO, CALIFORNIA**

S290541 E083084 Fourth Appellate District, Div. 2 **PEOPLE v. PIZANO (DANIEL CRUZ)**

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.

S290570 B336527 Second Appellate District, Div. 5 **PEOPLE v. DOMINGO (SULIETO GUITCHE)**

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 Hernandez*, S282186 (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.

S290583 B328270 Second Appellate District, Div. 7 **PEOPLE v. MAGANA (JESUS)**
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. Cannon*, S277995 (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.

S290585 B327869 Second Appellate District, Div. 7 **PEOPLE v. WASHINGTON (CLAYBORN)**

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. Cannon*, S277995 (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.

S290665 E083235 Fourth Appellate District, Div. 2 **PEOPLE v. MIALKOUSKY
(DOUGLAS ALEXANDER)**

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.

S290731 H049398 Sixth Appellate District **PEOPLE v. RODRIGUEZ
(ARTURO MURGUIA)**

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.

S290815 H051017 Sixth Appellate District **PEOPLE v. VEGA (JUAN
MANUEL)**

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 Hernandez*, S282186 (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.

S290834 G063800 Fourth Appellate District, Div. 3 **PEOPLE v. ARREGUIN
(RALPH)**

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.

S290865 B334685 Second Appellate District, Div. 6 **PEOPLE v. AGUIRRE
(VICTOR MANUEL)**

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. Fletcher*, S281282 (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.

S290874 B334480 Second Appellate District, Div. 6 **PEOPLE v. JUAREZ (JUAN)**
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 Hernandez*, S282186 (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.

S216466 **PEOPLE v. BALCOM (JASON
MICHAEL)**

Appeal abated

The court has received appellant's "Motion to Deem All Proceedings Permanently Abated, Dismiss the Appeal, Vacate the Judgment of Death, and Direct the Superior Court to Enter its Order That All Proceedings Have Permanently Abated," including documentation of appellant Jason Michael Balcom's death on May 14, 2025. All proceedings in this cause are permanently abated, and the Superior Court for the County of Orange is directed to enter an order to that effect. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.) The "Motion to Deem All Proceedings Permanently Abated, Dismiss the Appeal, Vacate the Judgment of Death, and Direct the Superior Court to Enter its Order That All Proceedings Have Permanently Abated," is denied.

S278072 B311885 Second Appellate District, Div. 2 **PEOPLE v. ORTEZ
(FRANCISO ANTONIO)**

Dismissed and remanded to Court of Appeal, Second Appellate District, Division Two

Review in the above-captioned matter, which was granted and held for *People v. Lynch* (2024) 16 Cal.5th 730 and *People v. Salazar* (2023) 15 Cal.5th 416, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S286233 F083724 Fifth Appellate District **TRC OPERATING
COMPANY, INC. v.
CHEVRON USA, INC.**

Dismissal order filed

Review in the above-captioned matter is hereby dismissed, pursuant to the parties' request filed June 4, 2025. (Cal. Rules of Court, rule 8.528(b)(1).)

Appellant's request for judicial notice, filed on December 24, 2024, is denied as moot.

Guerrero, C. J., and Corrigan, J., were recused and did not participate.

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

S290683 **FOY (JEFFREY) ON
CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant clemency

The Honorable Gavin Newsom
Governor, State of California
State Capitol Building
Sacramento, CA 95814

Re: Jeffrey Foy
Legal Affairs File No.: GO No. 10-24-00162
Case Number: S290683
Executive Clemency Number: 1259

Dear Governor Newsom:

On the application of Jeffrey Foy for pardon, the court, with at least 4 judges concurring, hereby makes the recommendation required by Article V, section 8 of the California Constitution for the Governor to grant a pardon.

Sincerely,

Patricia Guerrero
Chief Justice of California

S289947 B327202 Second Appellate District, Div. 7

Petition for review denied

**PARSONS (JOHN
WHITESIDE), ESTATE OF**

S290105 H052147 Sixth Appellate District

Petition for review & publication request(s) denied

**STRULYOV (EKATERINA &
EUGENE), MARRIAGE OF**

S290189 A168750 First Appellate District, Div. 2

Petition for review denied; CA opinion decertified

**PEOPLE v. HILL, JR.,
(DONALD RAY)**

The petition for review is denied.

On the court's own motion, the Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed February 28, 2025, which appears at 109 Cal.App.5th 274. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(2).)

S290248 A168273 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. SHARMA
(NITISH)**

S290252

**SOUTHERN CALIFORNIA
INSTITUTE OF LAW v.
STATE BAR OF
CALIFORNIA BOARD OF
TRUSTEES**

The requests for judicial notice are granted.

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

S290298 B335376 Second Appellate District, Div. 5

Petition for review denied

**DIAMOND BAR, CITY OF v.
LI (CATHERINE)**

S290326 B315416 Second Appellate District, Div. 7 **FOOD FOR THE POOR, INC.
v. BONTA (ROB)**

Petition for review denied; CA opinion decertified

The motion to consolidate is denied.

The petition for review is denied.

The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed March 5, 2025, which appears at 109 Cal.App.5th 432. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S290327 B315409 Second Appellate District, Div. 7 **CATHOLIC MEDICAL
MISSION BOARD, INC. v.
BONTA (ROB)**

Petition for review denied; CA opinion decertified

The motion to consolidate is denied.

The petition for review is denied.

The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed March 5, 2025, which appears at 109 Cal.App.5th 432. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S290328 B318280 Second Appellate District, Div. 7 **FOOD FOR THE POOR, INC.
v. BONTA (ROB)**

Petition for review denied; CA opinion decertified

The motion to consolidate is denied.

The petition for review is denied.

The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed March 5, 2025, which appears at 109 Cal.App.5th 432. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S290332 B318278 Second Appellate District, Div. 7

**CATHOLIC MEDICAL
MISSION BOARD, INC. v.
BONTA (ROB)**

Petition for review denied; CA opinion decertified

The motion to consolidate is denied.

The petition for review is denied.

The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed March 5, 2025, which appears at 109 Cal.App.5th 432. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S290336 B333772 Second Appellate District, Div. 2

IN RE JACOB L.

Petition for review denied

S290351 F087260 Fifth Appellate District

**JENKINS (DANIEL) v.
DEPARTMENT OF JUSTICE**

Petition for review denied

S290356 B326147 Second Appellate District, Div. 5

**MANDELL-BROWN
(MELISSA) v. NOVO
NORDISK, INC.**

Petition for review denied; CA opinion decertified

The petition for review is denied.

The request for an order directing depublication of the opinion is granted. The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed March 6, 2025, as modified April 4, 2025, which appears at 109 Cal.App.5th 478. (Cal. Const., art. VI, section 14; Cal. Rules of Court, rule 8.1125(c)(1).)

S290389 C099799 Third Appellate District

**PEOPLE v. CRAFT (LARRY
DONALD)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Eaton*, S289903.

S290391 G065096 Fourth Appellate District, Div. 3

Petition for review denied

**THE CINCINNATI REDS LLC
v. WORKERS'
COMPENSATION APPEALS
BOARD & SELLNER
(SCOTT)**

S290399 G064205 Fourth Appellate District, Div. 3

Petition for review denied

**KUBO (MAI) v. NILCHIAN
(NEIL)**

S290416 E082362 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. COLEMAN, JR.,
(GARY MITCHELL)**

S290472

The petition for writ of mandate is denied.

**DeAGUILERA (JAMES) v.
STATE BAR OF
CALIFORNIA (RADOGNA)**

S290474 A172156 First Appellate District, Div. 3

Petition for review denied

**AINSWORTH (BRETT) v.
BOYS & GIRLS CLUB OF
SONOMA VALLEY**

S290483 E083357 Fourth Appellate District, Div. 2

The motion to augment the record is denied.
The petition for review is denied.

**PEOPLE v. POLK (KENNETH
BERNARD)**

S290487 G063109 Fourth Appellate District, Div. 3

Petition for review denied

**HARDING (MARK FRANK) v.
LIFETIME FINANCIAL, INC.**

S290517 C101275 Third Appellate District

Petition for review denied

**PEOPLE v. BRISTOW
(DAVID EARL)**

S290524 B331113 Second Appellate District, Div. 8

Petition for review denied

**LORENZ (AUTUMN) v.
COHEN (JOANNA)**

S290536 D082238 Fourth Appellate District, Div. 1

The petition for review is denied.

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

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

**PEOPLE v. TIEBOUT
(JOEMAR DARRELL)**

S290542 H051524 Sixth Appellate District

Petition for review denied

IN RE G.G.

S290546 F087297 Fifth Appellate District

Petition for review denied

**PEOPLE v. ORONA, JR.,
(ANTHONY)**

S290561 A170083 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. BRIONES
(ALEXANDER)**

S290572 A168757 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SOLIMAN
(MAHER)**

S290586 E079488/E081708 Fourth Appellate District, Div. 2 **PEOPLE v. TAFOYA
(ROBERT MICHAEL)**

The request for judicial notice is denied.

The petition for review is denied.

S290589 A172676 First Appellate District, Div. 1

Petition for review denied

**MARIN GENERAL
HOSPITAL v. S.C. (ELLISON)**

S290614 E084312 Fourth Appellate District, Div. 2

Petition for review denied

**TAFOYA (ROBERT
MICHAEL) ON H.C.**

S290636 C098141 Third Appellate District

Petition for review denied

**PEOPLE v. KLEINSCHMIDT
(CHARLES TRENT)**

S290640 H052325 Sixth Appellate District

Petition for review denied

IN RE R.L.

S290653 B328608 Second Appellate District, Div. 3

Petition for review denied

**KO (JOO MO) v. CHOI (JONG
SUK)**

S290671 A170271 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. McNEW
(RICHARD CRAIG)**

S290672 E082113 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TORRES
VALDEZ, JR., (JOSE ANGEL)**

S290677 C101095 Third Appellate District

Petition for review denied

**PEOPLE v. MERRIGAN
(PATRICK)**

S290695

Petition for review denied

**COSPER (JENNIFER L.) v.
MOAYER (ROXANA)**

S290697 H048223 Sixth Appellate District

**PEOPLE v. GOLAMRABBI
(HASIB BIN)**

Defendant's application to file the unredacted petition for review under seal is granted. (Cal. Rules of Court, rule 8.47.) The clerk of this court is directed to file the unredacted petition for review under seal.

The petition for review is denied.

S290698 G063342 Fourth Appellate District, Div. 3

**VASEK (NANCY
WAHAMAKI & ANTHONY
GABRIEL), MARRIAGE OF**

Petition for review denied

S290745 C098945 Third Appellate District

**PEOPLE v. BREWER, SR.,
(BOBBY LOYD)**

Petition for review denied

S290746 A168728 First Appellate District, Div. 3

**PEOPLE v. BEY (HIRAMU EL
KENYATTA)**

Petition for review denied

S290747

**PEOPLE v. SANCHEZ
(STEPHANIE DIANA)**

Petition for writ of certiorari denied

S290749 A169039 First Appellate District, Div. 4

**PEOPLE v. TATUM (IRVIN
TERRELL)**

Petition for review denied

S290800 A168412 First Appellate District, Div. 2
Petition for review denied

PEOPLE v. GUAN (MIN JIAN)

S290818 B345645 Second Appellate District, Div. 1

**COSPER (JENNIFER L.) v.
S.C. (MOAYER)**

Petition for review denied

S290827 B345819 Second Appellate District, Div. 6

Petition for review denied

**QUAID (RANDY) v. S.C.
(TURICCHI)**

S290844 F086283 Fifth Appellate District

Petition for review denied

**PEOPLE v. SHERRELL
(BOBBY GENE)**

S290845 F087266 Fifth Appellate District

Petition for review denied

**PEOPLE v. VALLEZ
(THOMAS EDWARD)**

S290848 B332968 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PLANT
(AMARANTHA)**

S290850 C100564 Third Appellate District
Petition for review denied

IN RE J.B.

S290851 C099572 Third Appellate District

Petition for review denied

**PEOPLE v. DUNCAN
(DERRICK)**

S290863 A169610 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. PRICE (RUBY
DENISE)**

S290876 F085893 Fifth Appellate District

Petition for review denied

**PEOPLE v. RODRIGUEZ, JR.,
(ABEL)**

S290880 B338689 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. WEIR
(RANDALL)**

S290884 H053193 Sixth Appellate District

Petition for review denied

**NESE (ALPER) v. S.C.
(CHANG)**

S290887 H050598 Sixth Appellate District

Petition for review denied

**PEOPLE v. FLORES (ISAAC
RUBIO)**

S290888 C103542 Third Appellate District

Petition for review denied

**SIRHAN (SIRHAN B.) v. S.C.
(WEBER)**

S290902 B335863 Second Appellate District, Div. 6

Petition for review denied

IN RE A.V.

S290919 B335883 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BADWI (RAMZI
AHMED)**

S290920 B331875 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ARELLANO
(OMAR PEDRO)**

S290923 B332935 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. ARIAS
(BULMARO MAGANA)**

S290934 B332409 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. RODRIGUEZ
(DAVID)**

S291117 D086105 Fourth Appellate District, Div. 1

Petition for review & application for stay denied

**McEWEN (CARLA) v. S.C.
(SHOOT FOR THE MOON
DBPP)**

S291171 A172392 First Appellate District, Div. 2
Petition for review & application for stay denied

FANX, INC. v. S.C. (DAVIS)

S291189

**ABERA (AMAN) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION ONE (THE
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA)**

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

S291315

**BOWMAN (ROBERT
ARCHER) v. S.C. (BOWMAN)**

Petition for writ of certiorari & application for stay denied

S286007

**DARBOUZE (JEAN MAX) ON
H.C.**

Petition for writ of habeas corpus denied

S287749

**THOMPSON (DEWAYNE
RAMON) 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].)

S287915

**WATSON (WILL ANTHONY)
ON H.C.**

Petition for writ of habeas corpus denied

S288013

**HAYWOOD (ERNEST
MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

S288348

**BERUMEN (ADRIAN) ON
H.C.**

Petition for writ of habeas corpus denied

S288709

Petition for writ of habeas corpus denied

FOY (TYRELL) ON H.C.**S288988**

Petition for writ of habeas corpus denied

**COFFER (JOHNATHAN
CHRISTOPHER) ON H.C.****S289145**

Petition for writ of habeas corpus denied

**PORTER (JASON ROBERT)
ON H.C.****S289201**

Petition for writ of habeas corpus denied

**BROWN (KEITH ERVIN) ON
H.C.****S289223**

Petition for writ of habeas corpus denied

**SANCHEZ, JR., (MIGUEL)
ON H.C.****S289249**

Petition for writ of habeas corpus denied

**DUDLEY (DERRELL LOVE)
ON H.C.****S289283**

Petition for writ of habeas corpus denied

**PANTOJA (LUIS MARIO) ON
H.C.****S289366**

Petition for writ of habeas corpus denied

**WILLIAMS (MATTHEW
STEPHEN) ON H.C.****S289368**

Petition for writ of habeas corpus denied

JONES (KEITH) ON H.C.

S289379**PHILLIPS (JOSHUA JOHN)
ON H.C.**

Petition for writ of habeas corpus denied

S290576**JOHNSON (DERRICK LYNN)
ON H.C.**

Petition for writ of habeas corpus & application for stay denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that the judge exhibited bias or animus because of petitioner's race.

Petitioner "has not established a prima facie showing of entitlement to relief" under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that a judge exhibited bias or animus towards petitioner due to his race. (*Id.*, § 745, subd. (a)(1).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

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"].) The application for stay is denied.

S290605**ALLEN (MICHAEL E.) ON
H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges a detective threatened a Black witness, the trial judge improperly denied his petition for writ of habeas corpus, 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, that 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 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 and that 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 request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide sufficient supporting evidence that establish a detective or the trial court acted with racial bias or animus or 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, subds. (a)(1)-(4).) Nor does petitioner describe or attach sufficient supporting documentary evidence concerning these claims.

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”].)

S290753

**JOHNSON (DERRICK LYNN)
ON H.C.**

Petition for writ of habeas corpus & application for stay denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that the judge exhibited bias or animus because of petitioner’s race.

Petitioner “has not established a prima facie showing of entitlement to relief” under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that a judge exhibited bias or animus towards petitioner due to his race. (*Id.*, § 745, subd. (a)(1).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

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”].) The application for stay is denied.

S289758 D084579 Fourth Appellate District, Div. 1 **BEMORE (TERRY D.) v. S.C. (PEOPLE)**

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

S289942 A171067 First Appellate District, Div. 1 **IN RE S.G.**
Publication request denied (case closed)

S290073 D084516 Fourth Appellate District, Div. 1 **RESIDENTS ASSOCIATION OF GREATER LAKE MATTHEWS v. COUNTY OF RIVERSIDE (CAJALCO SQUARE, LP)**

Publication request denied (case closed)

S290455 C099666 Third Appellate District **CHEVALIER (MATTHEW) v. DEPARTMENT OF THE CALIFORNIA HIGHWAY PATROL**

Publication request denied (case closed)

S290538 B336284/B336287 Second Appellate District, Div. 1 **ELIZABETH (SIERRA) v. BRAITHWAITE (WARREN)**

Publication request denied (case closed)

S290632 F087255 Fifth Appellate District **PEOPLE v. LETNER, JR., (RICHARD L.)**

The time for granting or denying review in the above-entitled matter is hereby extended to July 29, 2025.

S182278**PEOPLE v. NELSON (TANYA
JAIME)**

Extension of time granted

Upon application of counsel Andrew Parnes, an extension of time in which to serve and file appellant's supplemental opening brief is granted to August 29, 2025. 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.

S239948**PEOPLE v. GORDON
(STEVEN DEAN)**

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 25, 2025.

S180912**ADCOX (KEITH EDWARD)
ON H.C.**

Motion for access to sealed record granted

Petitioner's "Unopposed Motion to Inspect and Copy Relevant Portions of the Record on Appeal and State Habeas Documents," filed on March 22, 2025, is granted. Counsel for Keith Edward Adcox, the Federal Defender, is granted access to the requested materials in the records of *People v. Keith Edward Adcox*, No. S004558, and *In re Keith Edward Adcox on Habeas Corpus*, No. S074000, including any sealed and confidential materials contained therein. Counsel must supply the personnel and equipment necessary to undertake the review and copying of the records, which must occur on the court's premises. Counsel must not release or cause to be released any of the sealed or confidential material or any of the information contained therein to anyone other than counsel's agents without a prior order of this court.

S239948**PEOPLE v. GORDON
(STEVEN DEAN)**

Record augmentation granted

Appellant's "Motion to Augment the Record on Appeal," filed on May 22, 2025, is construed as a motion to decertify the record and remand to the superior court for augmentation and, so construed, is granted. The matter of the certification for accuracy of the record on appeal is remanded to the superior court. The superior court is ordered to consider the requests made in appellant's motion and the response thereto, and to prepare any corrections and additional

materials necessary to create a record that complies with rule 8.610 of the California Rules of Court. All corrections and material added to the existing record pursuant to this order must be sent to appellate counsel for the parties, who must promptly review such corrections and material for compliance with this order and, when they have finished their review, inform the superior court either that the record is ready to be recertified for accuracy or that specific further additions or corrections should be made. The superior court is ordered to then prepare all corrections and additional materials, recertify the record for accuracy, and send the corrections and additional materials to this court, with copies to counsel, and to do so by October 16, 2025.

S290644**ACCUSATION OF
PENDERGRAFT**

Petition denied (accusation)

S290488**TRIMARCHE ON
DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied.

The court orders that GREGORY DANIEL TRIMARCHE (Respondent), State Bar Number 143686, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and Respondent is placed on probation for two years subject to the following conditions:

1. Respondent is suspended from the practice of law for the first year of probation;
2. Respondent must comply with the other conditions of probation recommended by the Review Department of the State Bar Court in its Opinion filed on March 17, 2025; and
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 comply with the requirement to take and provide to the State Bar's Office of Case Management and Supervision proof of passage of the Multistate Professional Responsibility Examination in the manner and as recommended by the Review Department in its Opinion filed on March 17, 2025. 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 (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. (Cal. Rules of Court, rule 9.20(d).) 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.

Any monetary requirements imposed in this matter shall be considered satisfied or waived when authorized by applicable law or orders of any court.