

**SUPREME COURT MINUTES  
WEDNESDAY, JUNE 26, 2024  
SAN FRANCISCO, CALIFORNIA**

**S157458****PEOPLE v. BELTRAN  
(JULIAN ARTURO)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before August 26, 2024, addressing those changes and their relevance to this case. 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. Corrigan and Groban, JJ., were absent and did not participate.

**S166737****PEOPLE v. FLORES (RALPH)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before August 26, 2024, addressing those changes and their relevance to this case. 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. Corrigan and Groban, JJ., were absent and did not participate.

**S174227****PEOPLE v. GUERRERO  
(JOSE)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before August 26, 2024, addressing those changes and their relevance to this case. 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.

Corrigan and Groban, JJ., were absent and did not participate.

**S178464**

**PEOPLE v. MARTINEZ  
(SANTIAGO)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before August 26, 2024, addressing those changes and their relevance to this case. 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. Corrigan and Groban, JJ., were absent and did not participate.

**S284780**      B318184 Second Appellate District, Div. 5

**PEOPLE v. QUIJADA  
(RICHARD ROBERT)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Emanuel*, S280551 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court. Corrigan and Groban, JJ., were absent and did not participate.  
Votes: Guerrero, C. J., Liu, Kruger, Jenkins, and Evans, JJ.

**S284866**      B324810 Second Appellate District, Div. 1

**PEOPLE v. SIBOMANA  
(LEWIS ABDULKALI)**

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. Corrigan and Groban, JJ., were absent and did not participate.  
Votes: Guerrero, C. J., Liu, Kruger, Jenkins, and Evans, JJ.

**S284938** F084511 Fifth Appellate District

**PEOPLE v. ALEO (FRANK JOSEPH)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Emanuel*, S280551 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Corrigan and Groban, JJ., were absent and did not participate.

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

**S285112** C098323 Third Appellate District

**PEOPLE v. BRIBIESCA (EDUARDO FERNANDO)**

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.

Corrigan and Groban, JJ., were absent and did not participate.

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

**S217774**

**PEOPLE v. THOMSON (JOHN WAYNE)**

Appeal abated

As indicated in a certified copy of a certificate of death, appellant John Wayne Thomson died on April 29, 2024. Accordingly, the appeal in *People v. John Wayne Thomson*, case number S217774, is permanently abated, and the Superior Court of California, County of San Bernardino is directed to enter an order to that effect in case number FSB 057389. (*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,” filed on April 17, 2024, is denied.

Corrigan and Groban, JJ., were absent and did not participate.

**S275599** F080702 Fifth Appellate District

**PEOPLE v. GAYTAN, JR.,  
(JESUS VINCENT)**

Dismissed and remanded to Court of Appeal, Fifth Appellate District

Review in the above-captioned matter, which was granted and held for *People v. Reynoza* (2024) 15 Cal.5th 982, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S276762** E071794 Fourth Appellate District, Div. 2

**PEOPLE v. FULLER, JR.,  
(ERIC LAVELL)**

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

Review in the above-captioned matter, which was granted and held for *People v. McDavid* (2024) 15 Cal.5th 1015, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S277196** C094491 Third Appellate District

**PEOPLE v. JOHNSON  
(FREDRICK LAMAR)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter, which was granted and held for *People v. McDavid* (2024) 15 Cal.5th 1015, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Appellant's "Motion for Dismissal of Review in Light of *People v. McDavid* (2024) 15 Cal.5th 1015," filed on May 20, 2024, is denied as moot.

Corrigan and Groban, JJ., were absent and did not participate.

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

**S278640** D079641 Fourth Appellate District, Div. 1

**PEOPLE v. ELDRIDGE  
(REGINALD)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division One

Review in the above-captioned matter, which was granted and held for *People v. McDavid* (2024) 15 Cal.5th 1015, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S279107**      C095094 Third Appellate District      **PEOPLE v. TOWNER**  
**(DAVID)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter, which was granted and held for *People v. Reynoza* (2024) 15 Cal.5th 982, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S280162**      C095650 Third Appellate District      **PEOPLE v. BURGESS**  
**(TRAVIS)**

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter, which was granted and held for *People v. Reynoza* (2024) 15 Cal.5th 982, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S281020**      A163864 First Appellate District, Div. 5      **PEOPLE v. TIMMS**  
**(JOVAUGHN)**

Dismissed and remanded to Court of Appeal, First Appellate District, Division Five

Review in the above-captioned matter, which was granted and held for *People v. Reynoza* (2024) 15 Cal.5th 982, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S283319**      D080333 Fourth Appellate District, Div. 1      **PEOPLE v. SAMOATA**  
**(MATATO)**

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of *People v. McDavid* 15 Cal.5th 1015. (Cal. Rules of Court, rule 8.528(d).)

Corrigan and Groban, JJ., were absent and did not participate.

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

**S284117** C096075 Third Appellate District **PEOPLE v. YU (ANTHONY)**  
Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter, which was granted and held for *People v. Reynoza* (2024) 15 Cal.5th 982, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).) Corrigan and Groban, JJ., were absent and did not participate.  
Votes: Guerrero, C. J., Liu, Kruger, Jenkins, and Evans, JJ.

**S284409** G063847 Fourth Appellate District, Div. 3 **PEOPLE v. ACOSTA SOTO (JUAN JOSE)**

The petition for review is denied.  
The stay previously issued by this court is dissolved.  
Corrigan and Groban, JJ., were absent and did not participate.

**S284458** G061378 Fourth Appellate District, Div. 3 **PEOPLE v. HERMOSILLO (SONIA)**

Petition for review denied

The petition for review is denied.  
Corrigan and Groban, JJ., were absent and did not participate.  
(See Concurring Statement by Justice Evans)

PEOPLE v. HERMOSILLO  
S284458

Concurring Statement by Justice Evans

When Sonia Hermosillo discovered she was pregnant with her third child, Noe, Jr., she and her husband Noe, Sr., were excited, as they had wanted a son for some time. Prior to Noe, Jr.'s, birth, Hermosillo's husband and family described Hermosillo as a loving wife and doting mother to her two daughters. Noe, Jr., was born in January 2011 with some temporary physical challenges due to over-gestation. Hermosillo regularly cared for her children and took Noe, Jr., to his medical appointments. When Noe, Jr., was a few months old, however, Hermosillo's mental health began deteriorating. She stopped responding to others, stopped caring for herself or her children, and cried often. Hermosillo's mental health became so critical that she was placed on an involuntary hold for being gravely disabled and a danger to herself. (Welf. & Inst. Code, § 5150, subd. (a).) Noe, Sr., obtained Hermosillo's release against medical advice because he could not afford the burden and expense of her treatment. At the same time, he did not feel comfortable leaving their children alone with her.

Tragically, in August 2011, when Noe, Jr., was about eight months old, Hermosillo took Noe, Jr., from their home while Noe, Sr., was in the bathroom, drove to the fourth floor of Children's

Hospital of Orange County, placed Noe, Jr., on the wall of the parking structure, and pushed him to his death. A witness who observed Hermsillo described her as having a “lost look on her face.” Hermsillo was charged with first degree murder (Pen. Code, § 187, subd. (a)) and assault of a child (id., § 273ab), and pled not guilty and not guilty by reason of insanity. After 10 years of delays due in large part to Hermsillo’s incompetency to stand trial, a jury convicted her on both counts.

The sanity phase of Hermsillo’s trial involved a battle of the experts. Both of Hermsillo’s experts had specialized expertise in women’s mental health. They each opined Hermsillo was not legally sane at the time of the incident as she had postpartum psychosis. The People’s two experts had treated or seen female patients, but had not spent significant time studying maternal mental health; both opined Hermsillo was legally sane at the time of the incident. The jury found Hermsillo sane and the trial court sentenced Hermsillo to 25 years to life.

Hermsillo argues our review is necessary because the trial court abused its discretion in allowing the People to call an expert who lacked experience with postpartum psychosis to testify regarding Hermsillo’s mental state at the sanity phase of her murder trial. Hermsillo also argues expertise in the specific mental disease at issue should be required before an expert may testify regarding a defendant’s legal sanity; the challenged expert specialized in police psychology. Given the deferential standard of review (*Michael G. v. Superior Court* (2023) 14 Cal.5th 609, 637), and because I agree that the concerns about the expert’s background were matters of weight rather than admissibility, I join my colleagues in voting to deny review. I write separately, however, to note my agreement with the Court of Appeal “that the current insanity defense, due to inconsistencies in how it may be applied in any given case, can have the unintended but very unfortunate consequence of criminalizing the mentally ill[,]” and in particular postpartum women with severe mental illness including postpartum psychosis. (*People v. Hermsillo* (Feb. 26, 2024, G061378) [nonpub. opn.] (*Hermsillo*)). I believe it is unlikely that the Legislature intended this result, so I urge legislative attention to this issue.

As the Court of Appeal observed, there are several challenges in applying the insanity defense in postpartum psychosis cases. First, postpartum psychosis is a unique and severe mental illness - occurring in 1 to 2 of 1,000 births - that is characterized by its sudden onset and dissipation; as a result, a mother may have varying degrees of sanity throughout the postpartum period. (Connell, *The Postpartum Psychosis Defense and Feminism: More or Less Justice for Women?* (2002) 53 Case W. Res. L.Rev. 143, 146, 148-149.) The cycling periods of lucidity and delirium make postpartum psychosis challenging to diagnose, and make it difficult for a mother suffering from postpartum psychosis to establish - and for a jury to find - that she was “incapable of knowing or understanding the nature and quality of . . . her act and of distinguishing right from wrong at the time of the commission of the offense.” (Pen. Code § 25, subd. (b); see also Comment, Kahler v. Kansas: *How the Current Insanity Defense Regime Underserves Postpartum Psychosis Defendants, How the Supreme Court Failed to Act, and How Now is the Perfect Time to Implement a Gender-Specific Postpartum Defense* (2023) 54 St. Mary’s L.J. 265, 302, 304 (hereafter *Kahler*); Connell, *supra*, at p. 151.)

Second, stereotypes about motherhood exacerbate stigma toward mothers suffering from severe mental illness, including postpartum psychosis, resulting in varied approaches to punishment for the commission of infanticide during a mental health crisis. “ ‘While some women might benefit from the belief that only an insane women [sic] could be capable of harming her children, others have their mental illness overlooked because the jury perceives the act of harming one’s own child as so monstrous that the woman must deserve punishment.’ ” (*Hermosillo, supra*, G061378, citing *Kahler, supra*, at p. 304.)

Third, meeting the test for insanity often involves a battle of the experts. The challenges inherent in diagnosing postpartum psychosis, as well as disagreements regarding the features of the illness itself, result in dueling experts who may disagree as to the nature and extent of a mother’s mental illness and whether she understood the nature of her actions at the time of the incident. (*Kahler, supra*, at pp. 302, 304.) The Court of Appeal had “little doubt that all of these factors played some role in [Hermosillo’s] conviction.” (*Hermosillo, supra*, G061378.)

The Legislature has recognized the seriousness of untreated maternal mental health disorders including postpartum psychosis, the stigma surrounding these disorders, and the importance of raising awareness about them. (See, e.g., Health & Saf. Code, §§ 123615.5, subs. (b), (f) [noting “[m]aternal mental health conditions affect one in five women during or after pregnancy,” and expressing the Legislature’s intent “to raise awareness of the risk factors, signs, symptoms, and treatment options for maternal mental health conditions”], (e) [“lack of understanding and social stigma of mental health conditions . . . disproportionately affect women who lack access to social support networks”], 123616.5 [requiring hospitals with perinatal units to develop and implement programs to educate and inform healthcare professionals and patients about maternal mental health conditions], former 123611 [required the State Department of Public Health to “investigate and apply for federal funding opportunities . . . to support maternal mental health, to the extent that programs are financed, in whole, by federal funds” (1)]) It has also found that maternal mental health disorders disproportionately affect mothers of color and of lower socioeconomic status. (See Sen. Rules Com., Off. of Sen. Floor Analyses, 3d reading analysis of Assem. Bill No. 2193 (2017-2018 Reg. Sess.) as amended Aug. 17, 2018, at p. 4 [“the highest prevalence of depressive symptoms during and after pregnancy was found among Black and Hispanic women, women of lower educational attainment, . . . and women in poverty”].)

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(1) This statute was repealed by operation of law on January 1, 2023.

To help address these issues, since January 1, 2019, health care practitioners have been required to screen for maternal mental health conditions occurring during pregnancy, the postpartum period, or interpregnancy. (Health & Saf. Code, § 123640.) While maternal mental health screenings can have a positive impact on postpartum mental health outcomes, the fact remains that postpartum psychosis is difficult to diagnose, and “[e]ven when [maternal mental health] disorders are detected, treatment occurs in less than 15% of identified cases.” (Sen. Rules Com., Off. of Sen.



Floor Analyses, 3d reading analysis of Assem. Bill No. 1477 (2021-2022 Reg. Sess.) as amended June 21, 2021, p. 3.)

Like California, Illinois has enacted legislation mandating universal depression screening during pregnancy and postpartum, and raising awareness of risk factors, signs, and treatment options related to maternal mental health conditions. (See 405 Ill. Comp. Stat. 95/1 et seq. [the Perinatal Mental Health Disorders Prevention and Treatment Act]; 405 Ill. Comp. Stat. 120/1 et seq. [the Maternal Mental Health Conditions Education, Early Diagnosis, and Treatment Act].) But Illinois has taken important additional steps. It has attempted to redress the criminalization of maternal mental illness by expressly allowing undiagnosed or untreated postpartum depression or psychosis during the commission of an offense to be used as a mitigating factor in sentencing, and by permitting defendants who commit forcible felonies as a result of undiagnosed or untreated postpartum depression or psychosis to seek postjudgment sentencing relief. (730 Ill. Comp. Stat. 5/5-5-3.1(a)(17); 735 Ill. Comp. Stat. 5/2-1401(b-10).)

Again, given the deferential standard of review on appeal, I do not vote to grant review. However, I note there are several mechanisms that may allow for just consideration of Hermosillo's mental illness, as well as her lack of a prior record of criminal conduct and the nearly 10-year delay in this case during which Hermosillo received psychiatric treatment, including:

- (1) as ordered by the Court of Appeal, probation eligibility and suitability consideration (Cal. Rules of Court, rule 4.413(c)(2)(B) [identifying criteria to evaluate whether presumption of ineligibility for probation is overcome, including that “[t]he crime was committed because of a mental condition not amounting to a defense, and there is a high likelihood that the defendant would respond favorably to mental health care and treatment that would be required as a condition of probation”]; see also Cal. Rules of Court, rule 4.414(b) [identifying factors relevant to grant or denial of probation, including prior record of criminal conduct and effect of imprisonment on defendant and her dependents]);
- (2) recall of sentence (Pen. Code, § 1172.1, subd. (a)(5) [when a defendant is referred for recall and resentencing, “[t]he court shall consider if the defendant . . . has experienced psychological . . . trauma”]);
- (3) parole suitability consideration (Cal. Code Regs., tit. 15, § 2281, subd. (d) [listing remorse as a circumstance indicating suitability for parole]); and
- (4) pursuant to a commutation recommendation (Pen. Code, § 4801, subd. (a) [“The Board of Parole Hearings may report to the Governor, from time to time, the names of any and all persons imprisoned in any state prison who, in its judgment, ought to have a commutation of sentence or be pardoned and set at liberty on account of good conduct, or unusual term of sentence, or any other cause”]).

As this case tragically demonstrates, undiagnosed, underdiagnosed, untreated, and undertreated

postpartum mental health disorders can have dire impacts on the health and well-being of mothers, children, and their families. This impact is exacerbated when the legal system fails to fully take these disorders into account. I urge the Legislature to continue to take steps to increase awareness and understanding of postpartum psychosis, as well as to provide additional guidance on how best to address the ramifications of untreated maternal mental illnesses, including in cases of postpartum psychosis resulting in infanticide.

EVANS, J.

We Concur:

LIU, J.

GROBAN, J.

**S284497** B320953 Second Appellate District, Div. 3

**TINOCO LOPEZ (RAMON) v.  
MICHELIN NORTH  
AMERICA, INC.**

Petition for review & publication request(s) denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284640** B325642 Second Appellate District, Div. 6

**PEOPLE v. LENNAN (BILL)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284657** G062331 Fourth Appellate District, Div. 3

**PEOPLE v. CRUZ (ANTONIO  
De JESUS)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284663** F085356 Fifth Appellate District

**PEOPLE v. KHATTIYAVONG  
(SENGALOUN)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284709** B335861 Second Appellate District, Div. 8

**KHOINY (NOUSHIN) v. S.C.  
(ST. MARY MEDICAL  
CENTER)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284775** A163978/A164061 First Appellate District, Div. 5 **PEOPLE v. BIBIANO-LOPEZ (EDUARDO)**

Petitions for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284784** C096758 Third Appellate District **PEOPLE v. ERNST (SCOTT KEITH)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284816** E080031 Fourth Appellate District, Div. 2 **PEOPLE v. HANNA (HANY FARAHAT)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284826** C098645 Third Appellate District **HOANG (LUCAS TRI) v. MEDICAL BOARD OF CALIFORNIA**

Petition for review & publication request(s) denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284845** H050855 Sixth Appellate District **PEOPLE v. REFUGIO (OSCAR)**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284853** C100812 Third Appellate District **HAYNIE (DONELL) ON H.C.**

Petition for review denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S284978** C097327 Third Appellate District **PEOPLE v. SMITH (LARRY)**

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.  
Corrigan and Groban, JJ., were absent and did not participate.

**S284984** B325017 Second Appellate District, Div. 3

**PEOPLE v. JONES (OMAR LATEEF)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285016** B328506 Second Appellate District, Div. 8

**PEOPLE v. SANTANA (SEBASTIAN)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285022** E078634 Fourth Appellate District, Div. 2

**PEOPLE v. TYLER (KENNETH PAUL)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285030** B323591 Second Appellate District, Div. 7

**PEOPLE v. SALMOND (RONALD)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285033** D079471/D079904 Fourth Appellate District, Div. 1

**MEDICAL ACQUISITION COMPANY, INC. v. TRI-CITY HEALTHCARE DISTRICT**

Petition for review & publication request(s) denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285038** F084630/F084896 Fifth Appellate District

**PEOPLE v. LUSTER (LEONARD)**

Petitions for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285056** B319968 Second Appellate District, Div. 8

**PEOPLE v. BARFIELD (CHARMONE JONTE)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285059** B323590 Second Appellate District, Div. 6

**PEOPLE v. VAULTZ, JR.,  
(HORACE VAN)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285063** B320778 Second Appellate District, Div. 7

**PEOPLE v. RODRIGUEZ  
(JOHNNY JOE)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285065** H051301 Sixth Appellate District

**IN RE J.R.**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285067** B327808 Second Appellate District, Div. 6

**PEOPLE v. VILLAGOMEZ  
(JOSE FERNANDO)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285069** B337024 Second Appellate District, Div. 1

**RODRIGUEZ (RAYMOND)  
ON H.C.**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285070** F087658 Fifth Appellate District

**MOREHOUSE (JODY) ON  
H.C.**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285075** F085811 Fifth Appellate District

**PEOPLE v. CARRILLO  
(RAYMOND)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285077** F086331 Fifth Appellate District

**PEOPLE v. ROYAL  
(DEONTAE JAVON)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285080** D083427 Fourth Appellate District, Div. 1

**PEOPLE v. PITTS, JR.,  
(ANTHONY LATRENT)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285084** A167400 First Appellate District, Div. 3

**PEOPLE v. NEIVA (MILES  
KEOLA)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285086** A166694 First Appellate District, Div. 2

**PEOPLE v. SERRANO  
(FRANCISCO RUIZ)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285088** D080781 Fourth Appellate District, Div. 1

**PEOPLE v. BOYKO  
(SAVVATY ALEKSEYEVI)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285089** D081758 Fourth Appellate District, Div. 1

**PEOPLE v. SANCHEZ  
(DAVID ALEJO)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285091** H050606 Sixth Appellate District

**PEOPLE v. McCLURE (JULIE  
ANN)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285097** B329049 Second Appellate District, Div. 2

**PEOPLE v. McNAMARA  
(GREGG DANIEL)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285098** A165727 First Appellate District, Div. 1

**ZELNIK (GERARD) v.  
DEPARTMENT OF HEALTH  
CARE ACCESS &  
INFORMATION**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285111** F085257 Fifth Appellate District

**PEOPLE v. FELIX (JESUS  
ANTONIO)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285118** B337151 Second Appellate District, Div. 2

**VALENZUELA (ROGELIO) v.  
S.C. (PEOPLE)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285120** B327966 Second Appellate District, Div. 2

**PEOPLE v. GALLEGOS  
(ROBERT ANDREW)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285123** C096930 Third Appellate District

**PEOPLE v. SICARIO  
(MANUEL AISPURO)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285125** B327437 Second Appellate District, Div. 7

**PEOPLE v. LOZANO (IVAN)**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285137** B316235/B319104 Second Appellate District, Div. 2 **MAYS (SPENCER S.) v. IH4  
PROPERTY WEST, L.P.**

Petition for review denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285428** D084176 Fourth Appellate District, Div. 1 **NEUBECKER (EDWARD) v.  
EVANS HOTELS, LLC**

Petition for review & application for stay denied

Corrigan and Groban, JJ., were absent and did not participate.

**S285434** C101107 Third Appellate District **SHETTY (HARI) v. S.C. (CITY  
OF FOLSOM)**

The "petition for writ of review and other appropriate relief" is construed as a petition for writ of mandate and as such, is denied.

Corrigan and Groban, JJ., were absent and did not participate.

**S285571** A170699 First Appellate District, Div. 2 **TAUZER (TREVOR HANSEN)  
v. S.C. (PEOPLE)**

Petition for review & application for stay denied

Corrigan and Groban, JJ., were absent and did not participate.

**S282090** **GEETER (JAMAR RASHAD)  
ON H.C.**

Petition for writ of habeas corpus denied

Corrigan and Groban, JJ., were absent and did not participate.

**S283522** **THROWER (KERRY  
De'LAFAYETTE) ON H.C.**

Petition for writ of habeas corpus denied

Corrigan and Groban, JJ., were absent and did not participate.

**S283761** **STUART (ANTHONY  
DEMONE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal].)

Corrigan and Groban, JJ., were absent and did not participate.



**S283815****WHITSITT (WILLIAM J.) 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].) Individual claims are denied, as applicable. (See *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

Corrigan and Groban, JJ., were absent and did not participate.

**S284270****RUIZPAZ (CARLOS) ON H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

Corrigan and Groban, JJ., were absent and did not participate.

**S284279****VARGAS (ERNESTO) ON H.C.**

Petition for writ of habeas corpus denied

Corrigan and Groban, JJ., were absent and did not participate.

**S284313****BOONE (VELTON) ON H.C.**

Petition for writ of habeas corpus denied

Corrigan and Groban, JJ., were absent and did not participate.

**S284315****SARAVIA (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied

Corrigan and Groban, JJ., were absent and did not participate.

**S284317****WALLACE (NATHANIEL DEON) 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].)

Corrigan and Groban, JJ., were absent and did not participate.

**S284326****BELLINGER (BRIAN JAMES)  
ON H.C.**

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

**S284352****HAMMONTREE (RICKY  
HAROLD) ON H.C.**

Petition for writ of habeas corpus denied  
Corrigan and Groban, JJ., were absent and did not participate.

**S285027****STEPHENS (JIMMIE EARL)  
ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner contends the commissioners of the Board of Parole Hearings involved in his case were biased; that the Board of Parole Hearings violated the Racial Justice Act by relying on various serious rules violations in denying parole; and that he is serving a longer sentence than other similarly situated individuals of different races, ethnicities, or national origins. The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that adequately describe any alleged actions and how they reflected racial bias or animus, or to support a claim that defendant was charged, convicted, or sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. Nor does petitioner describe or attach supporting documentary evidence concerning racial bias or animus or the use of racially discriminatory language. (Pen. Code, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].) The petition for writ of habeas corpus is denied.  
Corrigan and Groban, JJ., were absent and did not participate.

**S285163****HECKARD (TREZELL  
LAMONE) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner claims the superior court set unaffordable bail due to petitioner's race and provides affordable bail to members of other races, ethnicities, or national origins.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The petition also fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that adequately describe any alleged actions and how they reflected racial bias or animus. Nor does petitioner describe or attach supporting documentary evidence concerning racial bias or animus or the use of racially discriminatory language. (Pen. Code, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; cf. also *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The request for counsel is denied. The petition for writ of habeas corpus is denied. Corrigan and Groban, JJ., were absent and did not participate.

**S284677**      B324393 Second Appellate District, Div. 2**VARUNA ENTERTAINMENT,  
INC. v. BALL (PREMA)**

Publication request denied (case closed)

Corrigan and Groban, JJ., were absent and did not participate.

**S284781**      B326320 Second Appellate District, Div. 5      **IN RE Ca.M.**

The time for granting or denying review in the above-entitled matter is hereby extended to July 26, 2024.

**S156877****PEOPLE v. BROTHERS  
(VINCENT EDWARD)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file supplemental appellant's opening brief is extended to September 3, 2024.

**S224635****PEOPLE v. CABALLERO  
(ROBERT LOUIS)**

Extension of time granted

Based upon counsel Patricia A. Scott's representation that the appellant's opening brief is anticipated to be filed by June 9, 2025, an extension of time in which to serve and file that brief is granted to August 26, 2024. After that date, only five further extensions totaling about 287 additional days are 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) & (B)(ii).)

**S275272**

B306321 Second Appellate District, Div. 7

**LOS ANGELES POLICE  
PROTECTIVE LEAGUE v.  
CITY OF LOS ANGELES**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to the supplemental amicus brief is extended to July 16, 2024.

**S285522****JOHNSON (LANDON RYAN)  
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to August 8, 2024.

**S284787****BULLOCH ON DISCIPLINE**

Recommended discipline imposed

The court orders that KENT H. BULLOCH (Respondent), State Bar Number 275515, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and Respondent is placed on probation for one year subject to the following conditions:

1. Respondent is suspended from the practice of law for the first 90 days of probation;
2. Respondent must 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 29, 2024; 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 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 29, 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 (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 \$875 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. 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.

**S284788**

**GOLD ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHELLE GOLD (Respondent), State Bar Number 230835, is disbarred from the practice of law in California and that Respondent's name is stricken from the roll of attorneys.

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].)

Respondent must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$5,000 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.

**S285612****BELL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELIZABETH SANDERS BELL, State Bar Number 289491, as an attorney of the State Bar of California is accepted.

**S285613****BOONE, JR., ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PHILIP SANDFORD BOONE, JR., State Bar Number 78998, as an attorney of the State Bar of California is accepted.

**S285615****BORK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DIANA CULP BORK, State Bar Number 112843, as an attorney of the State Bar of California is accepted.

**S285616****BURKLAND ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUSAN BURKLAND, State Bar Number 157147, as an attorney of the State Bar of California is accepted.

**S285635****CUTLER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM D. CUTLER, State Bar Number 35307, as an attorney of the State Bar of California is accepted.

**S285636****DONAHOE ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DIANA ROBERTO DONAHOE, State Bar Number 151886, as an attorney of the State Bar of California is accepted.

**S285637****DOUGHERTY ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WILLIAM O. DOUGHERTY, State Bar Number 41654, as an attorney of the State Bar of California is accepted.

**S285638****DUNKIRK ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JEAN H. DUNKIRK, State Bar Number 121533, as an attorney of the State Bar of California is accepted.

**S285639****FRIESEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KANDICE LYNN FRIESEN, State Bar Number 147324, as an attorney of the State Bar of California is accepted.

**S285640****GAINES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SALLIE DuVERGNE GAINES, State Bar Number 102249, as an attorney of the State Bar of California is accepted.

**S285642****GRIFFIN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DOUGLAS EDWARD GRIFFIN, State Bar Number 166478, as an attorney of the State Bar of California is accepted.

**S285643****HAYNES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JOY ALEGRIA HAYNES, State Bar Number 241160, as an attorney of the State Bar of California is accepted.

**S285644****HEBERT ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BRIAN PAUL HEBERT, State Bar Number 184125, as an attorney of the State Bar of California is accepted.

**S285645****KAPLAN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID PHILLIP KAPLAN, State Bar Number 137201, as an attorney of the State Bar of California is accepted.

**S285646****KIRKHAM ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHRISTOPHER WYETH KIRKHAM, State Bar Number 221580, as an attorney of the State Bar of California is accepted.

**S285647****KISLIK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANDREW RICHARD KISLIK, State Bar Number 118772, as an attorney of the State Bar of California is accepted.

**S285648****MOODY ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MITCHELL STUART MOODY, State Bar Number 137652, as an attorney of the State Bar of California is accepted.

**S285649****RAMOS-FOJUT ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ZUNILDA RAMOS-FOJUT, State Bar Number 161114, as an attorney of the State Bar of California is accepted.



**S285650**

**STRAUSS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL LEONARD STRAUSS, State Bar Number 153937, as an attorney of the State Bar of California is accepted.