

**SUPREME COURT MINUTES
THURSDAY, AUGUST 25, 2022
SAN FRANCISCO, CALIFORNIA**

S099844**PEOPLE v. RAMIREZ (JUAN
VILLA)**

Opinion filed: Judgment affirmed in full

Majority Opinion by Corrigan, J.

-- joined by Cantil-Sakauye, C. J., Liu, Kruger, Groban, Jenkins, and Guerrero, J.J.

Concurring Opinion by Groban, J.

--joined by Liu, J.

S254554 D073304 Fourth Appellate District, Div. 1**PEOPLE v. AGUAYO
(VERONICA)**

Opinion filed: Judgment reversed

We therefore reverse the Court of Appeal’s judgment and remand the matter for proceedings consistent with this opinion. (See *Vidana, supra*, 1 Cal.5th at p. 651, fn. 18 [“we express no opinion on whether striking the larceny conviction or the embezzlement conviction or consolidating the two convictions is the proper remedy”]; see, e.g., *People v. Craig* (1941) 17 Cal.2d 453, 458-459, overruled on another point in *White, supra*, 2 Cal.5th at p. 359.)

Majority Opinion by Jenkins, J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, and Guerrero, JJ.

S266854 F076973 Fifth Appellate District**PEOPLE v. RENTERIA
(CRISTIAN)**

Opinion filed

We reverse the judgment of the Court of Appeal insofar as it upheld the imposition of the section 186.22(b)(4) penalties, with directions to remand the case to the trial court for resentencing in accordance with this opinion.

Majority Opinion by Kruger, J.

-- joined by Cantil-Sakauye, C. J., Corrigan, Liu, Groban, Jenkins, and Guerrero, JJ.

S274744**GENIS ON DISCIPLINE**

Application for stay denied – DARRYL WAYNE GENIS

The application for a stay is denied. As stated in the order filed on August 19, 2022, the order imposing discipline in the above-entitled case will not become final prior to the court's decision on the pending petition for rehearing.

S275031

F081186 Fifth Appellate District

**PEOPLE v. OLIVERA
(BLISELDA MARIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 10, 2022.

S275322

B302686 Second Appellate District, Div. 6

**PEOPLE v. VAZQUEZ (JOSE
ALBERTO ALCANTAR)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2022.

S275325

G060159 Fourth Appellate District, Div. 3

**PEOPLE v. SMITH (BELMON
CHARLES)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2022.

S275331

B301485 Second Appellate District, Div. 4

**PEOPLE V. GONZALES
(ROBERT)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2022.

S275354

F083067 Fifth Appellate District

**PEOPLE v. WHITTAKER
(MARCUS DION)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2022.

S275361

B320597 Second Appellate District, Div. 4

DAVALL (JOSEPH) ON H.C.

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2022.

S275364 B317209 Second Appellate District, Div. 3 **PEOPLE v. ROBINSON
(BRANDON NATHANIEL
JOEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2022.

S275367 C090231 Third Appellate District **PEOPLE v. LEMMON (KEVIN
FRANK)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 3, 2022.

S275419 F081572 Fifth Appellate District **PEOPLE v. MALONE
(CHAVONNE MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 5, 2022.

S275420 C095958 Third Appellate District **COLE (THEODORE) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2022.

S275422 B320661 Second Appellate District, Div. 4 **RAMIREZ-MADRID
(ESTEFANIA) v. S.C.
(PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2022.

S275434 F081780 Fifth Appellate District **PEOPLE v.
MANGSANGHANH
(BOUALY)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2022.

S275465 H049089 Sixth Appellate District **GARCIA (ESEQUIEL PAUL)
v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2022.

S275471 F082567 Fifth Appellate District

**PEOPLE v. TAYLOR
(TRAMELL VERNON)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 10, 2022.

S275488 D079767 Fourth Appellate District, Div. 1

**PEOPLE v. ZUNIGA (DAVID
ALBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 13, 2022.

S275503 D078721 Fourth Appellate District, Div. 1

PEOPLE v. ALLEN (EARL)

The time for granting or denying review in the above-entitled matter is hereby extended to October 13, 2022.

S200982

**PEOPLE v. RONQUILLO
(GABRIEL ALEXANDER)**

Extension of time granted

Based upon counsel Senior Deputy State Public Defender Andrea Asaro's representation that appellant's comprehensive reply brief, replying to the original Respondent's Brief, the Supplemental Respondent's Brief and the Second Supplemental Respondent's Brief, will be filed by January 27, 2023, an extension of time in which to serve and file that brief is granted to October 28, 2022. After that date, only two further extensions totaling about 91 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).)

S213242

**PEOPLE v. SMITH
(CHARLES RAY)**

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 October 25, 2022.

S216750**PEOPLE v. HANN (JESSICA
MARIE)**

Extension of time granted

Based upon counsel Gilbert Gaynor's representation that the appellant's reply brief is anticipated to be filed by October 30, 2022, an extension of time in which to serve and file that brief is granted to October 31, 2022. After that date, no further extension 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) & (B)(ii).)

S224710**PEOPLE v. ESPARZA
(ANGEL ANTHONY)**

Extension of time granted

Based upon counsel Patricia Brisbois' representation that the appellant's opening brief is anticipated to be filed by March 31, 2023, an extension of time in which to serve and file that brief is granted to October 28, 2022. After that date, only three further extension totaling about 154 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).)

S226760**PEOPLE v. LIGHTSEY
(CHRISTOPHER CHARLES)**

Extension of time granted

Based upon counsel Deputy Attorney General Kari Ricci Mueller's representation that the respondent's brief is anticipated to be filed by November 28, 2022, an extension of time in which to serve and file that brief is granted to October 28, 2022. After that date, only one further extension totaling about 31 additional 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) & (B)(ii).)

S232318**PEOPLE v. MERCADO
(JOSEPH)**

Extension of time granted

Based upon counsel Glen Niemy's representation that the appellant's reply brief is anticipated to be filed by August 1, 2023, an extension of time in which to serve and file that brief is granted to October 24, 2022. After that date, only five further extensions totaling about 281 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).)

S239552

**PEOPLE v. WASHINGTON
(DARNELL KEITH)**

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 October 24, 2022.

S275167

MOQUIN ON DISCIPLINE

Recommended discipline imposed

The court orders that BRIAN P. MOQUIN (Respondent), State Bar Number 257583, 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 a minimum of the first year 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) Larry J. Willard in the amount of \$86,000 plus 10 percent interest per year from June 13, 2017; and
 - (2) Thomas Pelosi in the amount of \$5,000 plus 10 percent interest per year from November 1, 2018.
 - ii. If Respondent remains suspended for two years or longer as a result of not satisfying the preceding requirement, Respondent must also provide proof to the State Bar Court of rehabilitation, fitness to practice and present learning and ability in the general law before the suspension will be terminated. (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 May 24, 2022.
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 May 24, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Respondent must also 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 effective 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.

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 2023, 2024, and 2025. 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.

S275168**MEIZLIK ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES MARK MEIZLIK (Respondent), State Bar Number 62116, 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 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 May 16, 2022; and
2. At the expiration of the period of probation, if Respondent has complied with the terms of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

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.

S274844**KOOK ON RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of RACHEL N. KOOK (Attorney), State Bar Number 169493, as an attorney of the State Bar of California is accepted. If Attorney subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against Attorney.

Attorney must comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after

the effective date of this order. Failure to do so may be considered in any future reinstatement proceeding.

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.

S275166

**STOCKER ON
RESIGNATION**

Resignation accepted with disciplinary proceeding pending

The voluntary resignation with charges pending of WILLIAM STOCKER (Attorney), State Bar Number 43872, as an attorney of the State Bar of California is accepted. If Attorney subsequently seeks reinstatement, the State Bar may consider all disciplinary charges that are currently pending against Attorney.

Attorney must comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may be considered in any future reinstatement proceeding.

Attorney must pay monetary sanctions to the State Bar of California Client Security Fund in the amount of \$1,000 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 must be paid in installments of one-third per year, for each of the years 2023, 2024, and 2025. 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. 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.

S275950

**GARTZMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SANDRA JO GARTZMAN, State Bar Number 117298, as an attorney of the State Bar of California is accepted.

S275959**GRANNIS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARK ANDREW GRANNIS, State Bar Number 140659, as an attorney of the State Bar of California is accepted.

S275960**HALE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of NINA BINGHAM HALE, State Bar Number 103980, as an attorney of the State Bar of California is accepted.

S275962**HAYDEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KELLY JO HAYDEN, State Bar Number 139881, as an attorney of the State Bar of California is accepted.

S275963**KIMBELL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LILLIAN KIMBELL, State Bar Number 137387, as an attorney of the State Bar of California is accepted.

S275964**MEYER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RAUER LEWIS MEYER, State Bar Number 57798, as an attorney of the State Bar of California is accepted.

S275966**MIZEL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHESTON DAVID MIZEL, State Bar Number 226561, as an attorney of the State Bar of California is accepted.

S275967

MODENA ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHELE MARIE MODENA, State Bar Number 111825, as an attorney of the State Bar of California is accepted.

S275969

PAIGE ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of ALVIN BRUCE PAIGE, State Bar Number 51294, as an attorney of the State Bar of California is accepted.

S275970

TURNER ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHELLE IDA TURNER, State Bar Number 211427, as an attorney of the State Bar of California is accepted.

S276080

BITTNER ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of GAYLE E. BITTNER, State Bar Number 103284, as an attorney of the State Bar of California is accepted.

S276081

**HALLIKAINEN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID LAWRENCE HALLIKAINEN, State Bar Number 178177, as an attorney of the State Bar of California is accepted.

S276082

**JOHNSON ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KATHLEEN HARRINGTON JOHNSON, State Bar Number 124740, as an attorney of the State Bar of California is accepted.

S276083**KROGER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KURT BRADLEY KROGER, State Bar Number 143138, as an attorney of the State Bar of California is accepted.

S276085**LOCK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BARBARA ZANZIG LOCK, State Bar Number 177238, as an attorney of the State Bar of California is accepted.

S276088**LORD ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KENNETH McCOY LORD, State Bar Number 193735, as an attorney of the State Bar of California is accepted.

S276089**MILLER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEVEN WILLIAM MILLER, State Bar Number 118048, as an attorney of the State Bar of California is accepted.

S276090**QUESADA ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KAREN CARROLL QUESADA, State Bar Number 152412, as an attorney of the State Bar of California is accepted.

S276091**UNGER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of BARBARA KING UNGER, State Bar Number 110051, as an attorney of the State Bar of California is accepted.