

**SUPREME COURT MINUTES  
WEDNESDAY, SEPTEMBER 21, 2022  
SAN FRANCISCO, CALIFORNIA**

**S275578**      B317935 Second Appellate District, Div. 2      **IN RE DEZI C.**  
Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 79 Cal.App.5th 769, may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

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

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S151493**      **PEOPLE v. CARDENAS**  
**(REFUGIO RUBEN)**

Supplemental briefing ordered

The parties are directed to serve and file supplemental briefing addressing the significance, if any, of Assembly Bill No. 333 (Stats. 2021, ch. 699, § 3), *People v. Valencia* (2021) 11 Cal.5th 818, *People v. Navarro* (2021) 12 Cal.5th 285, and *People v. Tran* (Aug. 29, 2022, S165998) \_\_ Cal.5th\_\_, to the issues presented in this case. Appellant's supplemental brief is to be filed on or before October 21, 2022. Respondent's supplemental brief is to be filed 30 days from the date the appellant's supplemental brief is filed. Appellant may file a supplemental reply brief 21 days after the respondent's supplemental brief is filed.

**S275569**      B314954 Second Appellate District, Div. 8      **PEOPLE v. CABRERA (JOSE LUIS)**

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. Espinoza*, S269647 (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275743**      B298686 Second Appellate District, Div. 2      **PEOPLE v. HERRERA  
(JESSE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending finality of *People v. Tran* (Aug. 29, 2022, S165998) \_\_\_ Cal.5th \_\_\_ (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275975**      A163332 First Appellate District, Div. 1      **PEOPLE v. TOOKER  
(CHARLES)**

Petition for review granted; briefing deferred

The request for judicial notice is granted.

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lynch*, S274942 (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275987**      E078155 Fourth Appellate District, Div. 2      **PEOPLE v. PEREZ  
(CHRISTOPHER DANIEL)**

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. Lynch*, S274942 (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S276029**      E077903 Fourth Appellate District, Div. 2      **PEOPLE v. MAGEE (DUANE  
MORRIS)**

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. Delgadillo*, S266305 (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S276031** C094048 Third Appellate District

**PEOPLE v. SHELLY (LAURA MARIE)**

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. Prudholme*, S271057 (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: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275322** B302686 Second Appellate District, Div. 6

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

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Six

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its decision and reconsider the cause in light of *People v. Strong* (2022) 13 Cal.5th 698. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275354** F083067 Fifth Appellate District

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

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Strong* (2022) 13 Cal.5th 698. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275367** C090231 Third Appellate District

**PEOPLE v. LEMMON (KEVIN FRANK)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Strong* (2022) 13 Cal.5th 698. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275419** F081572 Fifth Appellate District

**PEOPLE v. MALONE  
(CHAVONNE MARIE)**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Strong* (2022) 13 Cal.5th 698. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C.J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275471** F082567 Fifth Appellate District

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

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Strong* (2022) 13 Cal.5th 698. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S275630** B320618 Second Appellate District, Div. 6

**JUNGHEINRICH AG v. S.C.  
(QUINN LIFT, INC.)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Six, with directions to issue an alternative writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its order denying mandate and to issue an alternative writ. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S276036** C096392 Third Appellate District

**HERNANDEZ (ARMONDO) v.  
S.C. (PEOPLE)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying the petition for writ of mandate and to issue an order to show cause why petitioner is not entitled to the relief requested. All further proceedings in *People v. Armondo Hernandez*, San Joaquin County Superior Court No. STK-CR-FE-2009-0008905, are hereby stayed pending further order of the Court of Appeal. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S267930**      B295163 Second Appellate District, Div. 4      **SOULIOTES (GEORGE) v.  
CALIFORNIA VICTIM  
COMPENSATION BOARD**

Transferred to Court of Appeal, Second Appellate District, Division Four, after grant of review

The above-captioned matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and reconsider the cause in light of Senate Bill No. 446 (Stats. 2021, ch. 490, § 1) and Senate Bill No. 632 (Stats. 2022, ch. 133, § 1(a)). (Cal. Rules of Court, rule 8.528(d).) As explained in *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21, and California Rules of Court, rule 8.1115(e)(3), corresponding comment, paragraph 3, the opinion is hereby rendered either “depublished” or “not citable.”

Respondent’s motion for judicial notice, filed October 15, 2021, is granted.

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S269406**      B297857 Second Appellate District, Div. 5      **LARSEN (DANIEL) v.  
CALIFORNIA VICTIM  
COMPENSATION BOARD**

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

Review in the above-captioned matter, which was granted and held for *Souliotes v. California Victim Comp. Bd.* (2021) 61 Cal.App.5th 73, review granted June 9, 2021, S267930, is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

Votes: Cantil-Sakauye, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Guerrero, JJ.

**S272634**      **BENNETT (PAMELA) v.  
COURT OF APPEAL,  
FOURTH APPELLATE  
DISTRICT, DIVISION ONE  
(BANK OF AMERICA, N.A.)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of mandate is hereby denied.

**S273999****BENNETT (PAMELA) v.  
COURT OF APPEAL,  
FOURTH APPELLATE  
DISTRICT, DIVISION ONE  
(CIELO HOMEOWNERS  
ASSOCIATION, INC.)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of mandate is hereby denied.

**S274798****DOWNS (GREGORY) v. S.C.  
(PEOPLE)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of mandate is hereby denied.

**S276245****BACCHUS (HAROUN) v.  
COURT OF APPEAL,  
SECOND APPELLATE  
DISTRICT (MISTY)**

Vexatious litigant application denied

The application of petitioner for leave to file a petition for writ of mandate is hereby denied.

**S275259** H049289 Sixth Appellate District**CHINSUPAKUL (PANIDA) &  
TING (JULIAN), MARRIAGE  
OF**

Petition for review denied

**S275286** B288298 Second Appellate District, Div. 2**PEOPLE v. KING (SCOTT  
LEWIS)**

The petition for review is denied without prejudice to the filing of a petition for writ of habeas corpus in the Los Angeles County Superior Court.

**S275331** B301485 Second Appellate District, Div. 4**PEOPLE v. GONZALES  
(ROBERT)**

Petition for review denied

**S275412** C093542 Third Appellate District

**ALMOND ALLIANCE OF  
CALIFORNIA v. FISH &  
GAME COMMISSION  
(XERCES SOCIETY FOR  
INVERTEBRATE  
CONSERVATION)**

Petition for review denied

Guerrero, J., is of the opinion the petition should be granted.

Statement by Chief Justice Cantil-Sakauye

Our denial of a petition for review does not communicate any particular view regarding the merits of the issues presented in the petition. Thus, all should understand that our decision to deny review in this case is not an endorsement (nor is it a rejection) of the statutory analysis undertaken by the Court of Appeal, which determined that bumble bees, a nonaquatic invertebrate, are susceptible to being listed as endangered under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.; CESA) because that statute applies to fish (Fish & G. Code, §§ 2062, 2067 & 2068), and “invertebrates” are included within what the Court of Appeal deemed to be the applicable definition of “fish” (*id.*, § 45). (*Almond Alliance of California v. Fish & Game Com.* (2022) 79 Cal.App.5th 337, 341.)

Yet if experience is any guide, our decision not to order review will be misconstrued by some as an affirmative determination by this court that under the law, bumble bees are fish. A better-informed observer might ask: How can the court pass up this opportunity to review the Court of Appeal’s interpretation of the Fish and Game Code, which seems so contrary to common knowledge that bumble bees are not a type of fish? Doesn’t this clear disconnect necessarily amount to “an important question of law” (Cal. Rules of Court, rule 8.500(b)(1)) warranting this court’s intervention, because the Legislature could not possibly have intended such a result?

Were things always that simple. Careful analysis of a statute to divine legislative intent can sometimes yield results that might seem surprising at first blush. Courts engaged in this task have interpreted “less” as “more” (*Amalgamated Trans. Loc. 1309 v. Laidlaw Tran. Ser.* (9th Cir. 2006) 435 F.3d 1140, 1146) and “unlawful” as “lawful” (*Scurto v. LeBlanc* (La. 1938) 184 So. 567, 574). Long ago, the United States Supreme Court concluded that the “seas” referenced in one statute required no water at all (*Murray’s Lessee v. Baker* (1818) 16 U.S. 541, 545); quite recently, it determined that a fish is not a “tangible object” (*United States v. Yates* (2015) 574 U.S. 528, 536).

These kinds of seemingly illogical outcomes can in fact best capture the enacting legislature’s intent in a variety of circumstances. A statute may be construed in a manner that goes beyond the literal meaning of its text to avoid an absurd result the legislature could not possibly have contemplated. Sometimes courts perceive a scrivener’s error or typo that must be corrected to vindicate the intent behind a measure. Or the context surrounding the use of a word or phrase within a statute can convey that it carries an unusual meaning, peculiar to that law. The Court of

Appeal below concluded that the interpretive question before it fell into the last of these categories, with the consequence that bumble bees should indeed be regarded as “fish” under the CESA.

Even if the Court of Appeal arrived at what might superficially seem like a counterintuitive result, that alone does not establish that it erred. Moreover, our decision not to order review here does not prevent us from considering the CESA’s reach in some future case, at which time we may agree or disagree with the Court of Appeal’s analysis. In the interim, the Legislature is in a position to make whatever statutory amendments it may regard as necessary or useful. For although it may not be exceptional for a court to determine that a particular word or phrase within a statute carries a meaning that deviates from common parlance or understanding, such decisions also can provide notice to legislators that some clarification may be in order.

CANTIL-SAKAUYE, C. J.

We Concur:  
Corrigan, J.  
Groban, J.

**S275544** H049676 Sixth Appellate District  
Petition for review denied

**IN RE A.B.**

**S275545** E076087 Fourth Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. RICHARDSON  
(RUMAN ABDUL)**

**S275550** H049508 Sixth Appellate District  
Petition for review denied

**GETTINGS (NATHAN) v. S.C.  
(KT4 PARTNERS LLC)**

**S275593** B315945 Second Appellate District, Div. 2  
Petition for review denied

**PEOPLE v. HERNANDEZ  
(SERGIO)**

**S275602** C096241 Third Appellate District  
Petition for review denied

**PEOPLE v. SCOTT (TIANTE  
DION)**



<b>S275638</b>	A161160 First Appellate District, Div. 5	<b>I. (A.), CONSERVATORSHIP OF</b>
Petition for review denied		
<b>S275644</b>	B301926 Second Appellate District, Div. 7	<b>SILVESTER (DOMINIC) v. ESTATE OF JOHN KIM NIPARKO</b>
Petition for review denied		
<b>S275649</b>	C087809/C089175 Third Appellate District	<b>DRESSER (WILLIAM C.) v. HIRAMANNEK (ADIL)</b>
Petition for review denied		
<b>S275713</b>	B308142 Second Appellate District, Div. 1	<b>HOLLANDER (GAIL) v. XL AMERICA GROUP</b>
Petition for review denied		
<b>S275738</b>	C094963 Third Appellate District	<b>PEOPLE v. ROBERSON (MARLON LEROY)</b>
Petition for review denied		
<b>S275741</b>		<b>ALEXANDER (DARRION LARRY) v. S.C. (PEOPLE)</b>
Petition for writ of mandate/prohibition denied		
<b>S275747</b>	A163774 First Appellate District, Div. 3	<b>JOHNSON III (JESSE) ON H.C.</b>
Petition for review denied		
<b>S275756</b>	B308300 Second Appellate District, Div. 3	<b>PEOPLE v. MALDONADO (LARENZO RICARDO)</b>
Petition for review denied		
<b>S275759</b>	A162765 First Appellate District, Div. 3	<b>PEOPLE v. GARCIA (ALBERTO JOSEPH)</b>
Petition for review denied		

**S275761** C096448 Third Appellate District

Petition for review denied

**GOSZTYLA (CHANTELL) ON  
H.C.**

**S275768** F079098 Fifth Appellate District

Petition for review denied

**PEOPLE v. SPIRE (SHAWN  
ISRAEL)**

**S275772** B312845 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. LIBICH  
(MARTIN)**

**S275781** C089819 Third Appellate District

Petition for review denied

**PEOPLE v. TELLEZ  
(ELPIDIO)**

**S275784** B315199 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. HARPER  
(DEANDRE)**

**S275801** F081374 Fifth Appellate District

Petition for review denied

**PEOPLE v. SHARP (KEVIN)**

**S275804** A162388 First Appellate District, Div. 2

Petition for review denied

**DAYTON (EDWARD  
RANDOLPH) v. BANK OF  
AMERICA, N.A.**

**S275809** H048281 Sixth Appellate District

Petition for review denied

**RASSAI (FRED) v. BOARD  
OF TRUSTEES OF THE  
CALIFORNIA STATE  
UNIVERSITY**

**S275814** D078710 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MENDEZ  
(HERBERT CORNEJO)**

**S275830** B321617 Second Appellate District, Div. 6

Petition for review denied

**GUTIERREZ (FERNANDO) v.  
S.C. (PEOPLE)**

**S275831**

Petition for review denied

**ZHANG (JEFF BAOLIANG) v.  
TWIN TOWER  
CORRECTIONAL FACILITY**

**S275837** B313431 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DAVIS (DONALD  
RAY)**

**S275839** A161546 First Appellate District, Div. 3

Petition for review denied

**JOHN DOE v. THE REGENTS  
OF THE UNIVERSITY OF  
CALIFORNIA (JANE ROE)**

**S275844** C092870 Third Appellate District

Petition for review denied

**PEOPLE v. FRANKLIN  
(DANNY WILLIAM)**

**S275849** G061494 Fourth Appellate District, Div. 3

Petition for review denied

**MORGAN III (THOMAS E.) v.  
S.C. (HITCHMAN)**

**S275851** H049874 Sixth Appellate District

Petition for review denied

**TALIVAA (NATHANIEL) v.  
S.C. (PEOPLE)**

**S275853** D080508 Fourth Appellate District, Div. 1

Petition for review denied

**KOHUT (JONATHON  
JOSEPH) ON H.C.**

**S275859**

Petition for review denied

**PEOPLE v. BROWN  
(JEROME L.)**

**S275865** B306773 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MURPHY  
(DAVION DEMETRIOUS)**

**S275867** H047126 Sixth Appellate District

Petition for review denied

**PEOPLE v. TRUJILLO III  
(ANDREW LIONEL)**

**S275878** B321654 Second Appellate District, Div. 8

Petition for review denied

**WILSON (JAVON) v. S.C.  
(PEOPLE)**

**S275887** A162679 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. DIGGS  
(MICHAEL)**

**S275892** E071797 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LOPEZ (STEVEN)**

**S275901** D079154 Fourth Appellate District, Div. 1

Petition for review denied

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

**S275927** D079193 Fourth Appellate District, Div. 1

Petition for review denied

**PEAVY (GARY L.) v.  
CALIFORNIA VICTIM  
COMPENSATION CLAIMS  
BOARD**

<b>S275954</b>	D080693 Fourth Appellate District, Div. 1	<b>LUGO (KEITH ROBERT) ON H.C.</b>
Petition for review denied		
<b>S275971</b>	D079837 Fourth Appellate District, Div. 1	<b>PEOPLE v. ROMERO (RICHARD)</b>
Petition for review denied		
<b>S275972</b>	E077030 Fourth Appellate District, Div. 2	<b>PEOPLE v. KNIGGE (KURTIS BAEK)</b>
Petition for review denied		
<b>S275983</b>	D079336 Fourth Appellate District, Div. 1	<b>PEOPLE v. THOMPSON (TRAVIS RAY)</b>
Petition for review denied		
<b>S275985</b>	B232572/B235674 Second Appellate District, Div. 3	<b>PEOPLE v. CERDA (PETER)</b>
Petition for review denied		
<b>S276002</b>	F080514 Fifth Appellate District	<b>PEOPLE v. CORDRAY (KEVIN)</b>
Petition for review denied		
<b>S276011</b>	H047642 Sixth Appellate District	<b>V. (ROSA) v. H. (ALI)</b>
Petition for review denied		
<b>S276015</b>	E071361 Fourth Appellate District, Div. 2	<b>PEOPLE v. VALLES (RICHARD)</b>
Petition for review denied		
<b>S276016</b>	G060044 Fourth Appellate District, Div. 3	<b>PEOPLE v. MADERA (HERUVEY RUDY)</b>
Petition for review denied		

**S276019** D079882 Fourth Appellate District, Div. 1

**PEOPLE v. RUBALCABA  
(FELIPE CELIS)**

Petition for review denied

**S276020** E077812 Fourth Appellate District, Div. 2

**IN RE A.R.**

Petition for review denied

**S276038** B317094 Second Appellate District, Div. 8

**PEOPLE v. JOHNSON  
(TERRENCE KAISER)**

Petition for review denied

**S276042** B316891 Second Appellate District, Div. 6

**PEOPLE v. AVALOS (JUAN  
RODRIGUEZ)**

Petition for review denied

**S276043** C091283 Third Appellate District

**PEOPLE v. VISAGE  
(THOMAS DANIEL)**

Petition for review denied

**S276053** D080644 Fourth Appellate District, Div. 1

**MARUM (ERIC NATHANIEL)  
ON H.C.**

Petition for review denied

**S274115**

**TRAN (HUY TRONG) ON  
H.C.**

The request for judicial notice is granted.  
The petition for writ of habeas corpus is denied.

**S274619**

**GALVEZ (JAIME AYALA)  
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].)

**S274663**

**AMOS (DONALD) ON H.C.**

Petition for writ of habeas corpus denied

**S274749****ALEXANDER (DARRION  
LARRY) 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].)

**S274755****CRENSHAW (ALLEN KEITH)  
ON H.C.**

Petition for writ of habeas corpus denied

**S274772****STEVENSON (CARL) ON H.C.**

Petition for writ of habeas corpus denied

**S274799****YABLONSKY (JOHN  
HENRY) ON H.C.**

Petition for writ of habeas corpus denied

**S274836****CABRERA (MARCOS) ON  
H.C.**

Petition for writ of habeas corpus denied

**S274847****BILLIE (ROBERT LEE) ON  
H.C.**

Petition for writ of habeas corpus denied

**S274861****NELSON, JR., (JAMES  
DENERICK) ON H.C.**

Petition for writ of habeas corpus denied

**S274864****ZENDEJAS (STEVEN) ON  
H.C.**

Petition for writ of habeas corpus denied

**S274867****WYATT (RICKY) 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].)

**S274874****STEWART (JAREY) ON H.C.**

Petition for writ of habeas corpus denied

**S274876****HILL (NATHAN) ON H.C.**

Petition for writ of habeas corpus denied

**S274879****SINGLETON, SR., (ANTRON)  
ON H.C.**

Petition for writ of habeas corpus denied

**S275035****HERRERA (JULIO JAVIER)  
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Villa* (2009) 45 Cal.4th 1063, 1066 [habeas corpus relief is unavailable where the petitioner is not in the custody of California authorities as a result of the challenged conviction].)

**S275043****WILLIAMS (ERNEST L.) ON  
H.C.**

Petition for writ of habeas corpus denied

**S275044****WASHINGTON (CORTEZ  
LAMON) ON H.C.**

Petition for writ of habeas corpus denied

**S275061****JACKSON (RONALD D.) 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].) 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 Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were



rejected on appeal]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

**S275173**

**CLEVELAND (IVAN  
VERNARD) ON H.C.**

Petition for writ of habeas corpus denied

**S275462**

**HILL (NATHAN) 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 Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

**S275473**

**SPROUT LENDING, LLC v.  
JAVIDZAD (SHAHRAM  
JEFF)**

Publication request denied (case closed)

**S275751**      A160921 First Appellate District, Div. 4

**BEZIS (JASON A.) v.  
LIVERMORE HERITAGE  
GUILD**

Publication request denied (case closed)

**S275468**      A162871 First Appellate District, Div. 4

**DIGIACOMO, JR.,  
(RAYMOND VINCENT) v.  
RECOLOGY, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2022.

**S275584**      A164248 First Appellate District, Div. 1

**PEOPLE v. CAUDILLO  
(JAIME MARIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 2, 2022.

**S275633** F079222 Fifth Appellate District

**PEOPLE v. MONTANO (JUAN ALEJANDRO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2022.

**S275767** B315589 Second Appellate District, Div. 5

**REAGAN (ROBERT) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2022.

**S275770** E077740 Fourth Appellate District, Div. 2

**IN RE M.S.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 28, 2022.

**S275790** F082180 Fifth Appellate District

**PEOPLE v. WEATHERS (WINONA MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 31, 2022.

**S275827** F079797 Fifth Appellate District

**PEOPLE v. CASARES (JESUS)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 1, 2022.

**S275835** F080361 Fifth Appellate District

**PEOPLE v. ROJAS (FERNANDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 1, 2022.

**S275838** F080359 Fifth Appellate District

**PEOPLE v. NUNEZ (VICTOR)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 1, 2022.

**S275843** C094190 Third Appellate District

**JJD-HOV ELK GROVE, LLC v. JO-ANN STORES, LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to November 2, 2022.

**S275848** A163503/A163504 First Appellate District, Div. 1 **SEVIOUR-ILOFF (ELSIE) v. LaPAILLE (CYNTHIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 2, 2022.

**S275861** C094411 Third Appellate District **STUCKEY (GARY WAYNE) v. DEPARTMENT OF JUSTICE (PEOPLE)**

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

**S275866** B315541 Second Appellate District, Div. 8 **IN RE R.T.**

The time for granting or denying review in the above-entitled matter is hereby extended to November 4, 2022.

**S275874** D080575 Fourth Appellate District, Div. 1 **GEORGE (JOSEPH) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 4, 2022.

**S275880** G059561 Fourth Appellate District, Div. 3 **CALIFORNIA BUSINESS & INDUSTRIAL ALLIANCE v. BECERRA (XAVIER)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 4, 2022.

**S275882** G058725 Fourth Appellate District, Div. 3 **LOPEZ (ARTHUR) v. IRVINE COMPANY LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to November 4, 2022.

**S275891** A158352 First Appellate District, Div. 1 **ILCZYSZYN (KELLY) v. SOUTHWEST AIRLINES CO.**

The time for granting or denying review in the above-entitled matter is hereby extended to November 4, 2022.

**S275895** F081679 Fifth Appellate District

**PEOPLE v. CASTILLO  
(JESUS ANGEL)**

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

**S275904** F083044 Fifth Appellate District

**PEOPLE v. HENDERSON  
(CURTIS LEE)**

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

**S275930** E074729 Fourth Appellate District, Div. 2

**ALLIED ANESTHESIA  
MEDICAL GROUP, INC. v.  
INLAND EMPIRE HEALTH  
PLAN**

The time for granting or denying review in the above-entitled matter is hereby extended to November 8, 2022.

**S275933** G059354 Fourth Appellate District, Div. 3

**LOPEZ (ARTHUR) v. IRVINE  
COMPANY LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to November 8, 2022.

**S275947** F083843 Fifth Appellate District

**IN RE M.G.**

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

**S275948** A162105 First Appellate District, Div. 3

**PEOPLE v. ESQUIVEL  
(ANTONIO DEJESUS)**

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

**S275949** B321028 Second Appellate District, Div. 4

**HAYON (OFER) v. S.C.  
(MEHDIANI)**

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

**S154365****PEOPLE v. DREWS (MARTIN  
DEXTER)**

Extension of time granted

Based upon counsel Rebecca P. Jones' representation that the appellant's supplemental opening brief is anticipated to be filed by November 21, 2022, an extension of time in which to serve and file that brief is granted to November 21, 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).)

**S272850**

B310024 Second Appellate District, Div. 3

**WHEELER (EMILY) v.  
APPELLATE DIVISION  
(PEOPLE)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 13, 2022.

**S273323****MITCHELL (ANTONIO  
DWAYNE) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to October 3, 2022.

**S274173****AUTEN (ALLEN RAY) 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 October 5, 2022.

**S275478**      B310845 Second Appellate District, Div. 7      **THE ASSOCIATION OF  
DEPUTY DISTRICT  
ATTORNEYS FOR LOS  
ANGELES COUNTY v.  
GASCON (GEORGE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 31, 2022.

**S274160**      H047254 Sixth Appellate District      **PEOPLE v. LOPEZ  
(ENRIQUE NUNEZ)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Marc Zilversmit is hereby appointed to represent appellant on the appeal now pending in this court.

**S274644**      E073346 Fourth Appellate District, Div. 2      **PEOPLE v. VAUGHN  
(AARON JAMES)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Andrea Bitar is hereby appointed to represent appellant Victor Wilkins on the appeal now pending in this court.

**S274644**      E073346 Fourth Appellate District, Div. 2      **PEOPLE v. VAUGHN  
(AARON JAMES)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Helen Irza is hereby appointed to represent appellant Aaron James Vaughn on the appeal now pending in this court.

**S275378**      E071786 Fourth Appellate District, Div. 2      **PEOPLE v. PIMENTEL  
(EMMANUEL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Raymond DiGuiseppe is hereby appointed to represent appellant Jesus Urzua on the appeal now pending in this court.

**S275378**      E071786 Fourth Appellate District, Div. 2      **PEOPLE v. PIMENTEL  
(EMMANUEL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Randi Covin is hereby appointed to represent appellant Emmanuel Pimentel on the appeal now pending in this court.

**S275778**      A161694 First Appellate District, Div. 4      **PEOPLE v. CARDENAS  
(ROGELIO JAVIER)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Kathy Moreno is hereby appointed to represent appellant on the appeal now pending in this court.

**S275897**      A161879 First Appellate District, Div. 4      **PEOPLE v. HIGUERA, JR.,  
(PATRICK)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Philip M. Brooks is hereby appointed to represent appellant on the appeal now pending in this court.

**S272632**      A162891 First Appellate District, Div. 3      **HARRIS, JR., (JOHN) ON H.C.**  
Order filed

The application of Human Rights Watch to join the amicus brief previously filed by the Civil Rights Corps; ACLU of Northern California; California Public Defenders Association; and Claudia Y. Bautista, the Public Defender of Ventura County, is hereby granted.

**S275498**      **MUNOZ ON DISCIPLINE**  
Recommended discipline imposed

The court orders that WALTER MUNOZ (Respondent), State Bar Number 223955, 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 two years 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 June 21, 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.

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 June 21, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

**S275499****WITZER ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRIAN DAVID WITZER (Respondent), State Bar Number 123277, 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 April 14, 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.

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 April 14, 2022. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

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.

**S275495****LUCERO ON RESIGNATION**

Resignation declined

This court, having considered the request, declines to accept the voluntary resignation with charges pending of ESTEVAN R. LUCERO (Attorney), State Bar Number 298076, as an attorney of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).) Attorney remains on inactive status. (Cal. Rules of Court, rule 9.21(a).) Attorney may move the State Bar Court to be restored to active status, at which time the Office of Chief Trial Counsel may demonstrate any basis for Attorney's continued ineligibility to practice law. The State Bar Court will expedite the resolution of any request by Attorney to be restored to active status. Any return to active status will be conditioned on Attorney's payment of any fees, penalty payments, and restitution owed by



Attorney. The underlying disciplinary matter should proceed promptly.

**S276442**

**BOGDA ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of RUSSELL W. BOGDA, State Bar Number 34913, as an attorney of the State Bar of California is accepted.

**S276443**

**BRANCH ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ILSA BRANCH, State Bar Number 197834, as an attorney of the State Bar of California is accepted.

**S276445**

**CHENG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MENG CHENG, State Bar Number 286895, as an attorney of the State Bar of California is accepted.

**S276447**

**DOYLE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MEGAN D. DOYLE, State Bar Number 228661, as an attorney of the State Bar of California is accepted.

**S276448**

**NELSON ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID ALLEN NELSON, State Bar Number 100006, as an attorney of the State Bar of California is accepted.

**S276455**

**NUECHTERLEIN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CAROLE LAURA NUECHTERLEIN, State Bar Number 124468, as an attorney of the State Bar of California is accepted.

**S276456****RECHNITZER ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARTIN ALLAN RECHNITZER, State Bar Number 87014, as an attorney of the State Bar of California is accepted.

**S276457****WARTENBERG ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of YOLANDA REY WARTENBERG, State Bar Number 200023, as an attorney of the State Bar of California is accepted.

**S276458****WHITE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL JAMES LAWRENCE WHITE, State Bar Number 104089, as an attorney of the State Bar of California is accepted.

**S276459****WILKINSON ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PATRICIA WILKINSON, State Bar Number 116960, as an attorney of the State Bar of California is accepted.

**B322571**

Second Appellate District

**PEOPLE v. McKIE (DANIEL)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred to the Court of Appeal, Fifth Appellate District.

Second Appellate District

**TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Second Appellate District, are transferred to the Court of Appeal, Fifth Appellate District:

1. B322675 People v. Stuart John Tsuneo Nagata
2. B322760 People v. Anabelle Perez
3. B322770 People v. Martin Santoyo Olvera

**B322800**

Second Appellate District

**PEOPLE v. GARZA (ANGEL  
MIGUEL)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred to the Court of Appeal, Fifth Appellate District.

Second Appellate District

**TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Second Appellate District, are transferred to the Court of Appeal, Sixth Appellate District:

1. B323028 Borjon Auto v. Sentry Select Insurance
2. B323030 Borjon Auto v. Sentry Select Insurance
3. B322566 Ruby Falls Fund v. AquaLegacy
4. B322645 AquaLegacy v. 2012 Canrow Owner
5. B322673 AquaLegacy v. 2012 Canrow Owner
6. B322679 AquaLegacy v. 2012 Canrow Owner
7. B322827 Gregory Steshenko v. Foothill De Anza Community College, et al.
8. B322830 Gregory Steshenko v. Foothill De Anza Community College, et al.