

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 25, 2024
SAN FRANCISCO, CALIFORNIA**

S278309 B319961 Second Appellate District, Div. 2 **PEOPLE v. WALKER
(MAURICE)**

Rehearing denied

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

Petition for review granted; issues limited

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 102 Cal.App.5th 1040, 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 issue to be briefed and argued is limited to the following: Does Code of Civil Procedure section 660 preclude remand for further proceedings in the trial court on a motion for new trial? Corrigan, J., was recused and did not participate.

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

S286453 C098821 Third Appellate District **PEOPLE v. SHAW (TROY
LEE)**

Petition for review granted; issues limited

The petition for review is granted.

The issue to be briefed and argued is limited to the following: May two prior convictions arising out of a single act that harms multiple victims constitute two strikes under the Three Strikes law? (*People v. Vargas* (2014) 59 Cal.4th 635; *People v. Williams* (1998) 17 Cal.4th 148.)

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

S165649**PEOPLE v. COOK
(MICHAEL)**

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 November 12, 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.

S184521**PEOPLE v. DUNN (AARON
NORMAN)**

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 November 12, 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.

S195568**PEOPLE v. BELL
(CIMARRON BERNARD)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the supplemental reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before November 12, 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.

S212159**PEOPLE v. PEARSON
(KEVIN DARNELL)**

Supplemental briefing ordered

If appellant contends any changes in the law (including any ameliorative statute) since the filing of the supplemental reply brief are relevant to this appeal, appellant shall serve and file a supplemental opening brief not to exceed 50 pages on or before November 12, 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.

S286259 C099085 Third Appellate District
Petition for review granted; briefing deferred**IN RE J.M.**

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lopez*, S281488 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.
Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S286367 F087204 Fifth Appellate District**PEOPLE v. MARTINEZ
(ALBERTO JORGE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Hernandez*, S282186 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.
Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S286465 B329006 Second Appellate District, Div. 4**PEOPLE v. ESPARZA
(CARLOS)**

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. Patton*, S279670 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.
Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S286469 B329064 Second Appellate District, Div. 5 **PEOPLE v. SCARANO**
(CHRISTOPHER FRANCIS)

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. Patton*, S279670 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S286528 C097627 Third Appellate District **PEOPLE v. FERREIRA, JR.,**
(EDWARD PETER)

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. Lopez*, S281488 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S286541 D081562 Fourth Appellate District, Div. 1 **PEOPLE v. PEDROZA (LUIS**
MONDRAGON)

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of related issues in *People v. Bankston*, S044739 and *People v. Hin*, S141519 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S286556 B329390 Second Appellate District, Div. 3 **PEOPLE v. SMITH**
(GREGORY ANDRE)

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

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

S282048**TILLMAN (ANDREW) ON
H.C.**

Order to show cause issued; returnable in Court of Appeal, Fourth Appellate District, Division Two

The request for judicial notice is granted.

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause, returnable before the Court of Appeal, Fourth Appellate District, Division Two, why petitioner is not entitled to relief based on his claim that trial and appellate counsel rendered ineffective assistance by failing to argue that the jury instructions erroneously allowed the jury to find the drive-by shooting special circumstance true based either on an intent to kill or a reckless disregard for human life. The return must be served and filed on or before October 25, 2024.

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

S286377

E084024 Fourth Appellate District, Div. 2

**JONES, JR., (HENRY
ALEXANDER) ON H.C.**

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

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two. That court is ordered to vacate its summary denial dated August 5, 2024, and is further ordered to issue an order to show cause, returnable before the Riverside County Superior Court. (Cal. Rules of Court, rule 8.528(d).) The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Riverside County Superior Court why petitioner is not entitled to appointment of counsel pursuant to Penal Code section 1473, subdivision (e), in light of data provided by petitioner demonstrating racial disparities in charging special circumstance murder in Riverside County.

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

S278089

A166004 First Appellate District, Div. 5

**RICHMOND SHORELINE
ALLIANCE v. CITY OF
RICHMOND (HRP CAMPUS
BAY PROPERTY, LLC)**

Transferred to Court of Appeal, First Appellate District, Division Five, after hold

The above-captioned matter is transferred to the Court of Appeal, First Appellate District, Division Five, with directions to vacate its decision and reconsider the cause in light of *Meinhardt v. City of Sunnyvale* (2024) 16 Cal.5th 643. (Cal. Rules of Court, rule 8.528(d).)

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

S285008

**CASTRO (JOHNNY ALBERT)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION FIVE
(PEOPLE)**

Petition for writ of mandate/prohibition denied

S285729

**CROSS (GEORGE EUGENE)
v. S.C. (CALIFORNIA
DEPARTMENT OF
CORRECTIONS &
REHABILITATION)**

The request for judicial notice is denied.
The petition for writ of mandate and applications for stay are denied.

S286087 E083937 Fourth Appellate District, Div. 2

**RIVERSIDE, COUNTY OF v.
S.C. (LEON)**

Petition for review denied

S286097 E082434/E082737 Fourth Appellate District, Div. 2 **IN RE A.O.**

Petition for review denied

S286121 G062450 Fourth Appellate District, Div. 3

**PEOPLE v. VASQUEZ (JOSE
RINCON)**

Petition for review denied

S286146 A170752 First Appellate District, Div. 2

**NGUYEN (LAN) v.
HARSAGHY (ERIN)**

Petition for review denied

S286148 D081821 Fourth Appellate District, Div. 1

**BUTLER (NADINE M.) v.
NATIONSTAR MORTGAGE
LLC**

Petition for review denied

S286156 G062028 Fourth Appellate District, Div. 3

Petition for review & publication request(s) denied

**SADEGHI (ANGIZEH) v.
SADEGHI (SIDNEY)**

S286170 B339318 Second Appellate District, Div. 7

Petition for review denied

**CALIFORNIA-PACIFIC
ANNUAL CONFERENCE OF
THE UNITED METHODIST
CHURCH v. S.C. (KUM RAN
UNITED METHODIST
CHURCH)**

S286224 D083422 Fourth Appellate District, Div. 1

The request for judicial notice is granted.
The petition for review is denied.

**RUMMELL (SCOTT) v.
LINDSEY (WILLIAM RAY)**

S286234 B338429 Second Appellate District, Div. 5

Petition for review denied

**SIRHAN (SIRHAN B.) ON
H.C.**

S286252

Petition for review denied

**PEOPLE v. MAO & QUN CO.,
INC.**

S286349 B319107 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. POTTER
(CHRISTOPHER)**

S286352 H051172 Sixth Appellate District

Petition for review denied

**PEOPLE v. ALVAREZ
(JAIME ALTUNA)**

S286374 B321066 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. NAVARRO
(FRANCISCO SANDOVAL)**

S286376	E079586 Fourth Appellate District, Div. 2	PEOPLE v. GARCIA (HUGO CESAR)
Petition for review denied		
S286379		JAMES (ALBERT) v. COURT OF APPEAL, FOURTH APPELLATE DISTRICT, DIVISION ONE (RODRIGUEZ)
Petition for writ of error coram vobis denied		
S286382	B323616 Second Appellate District, Div. 5	PEOPLE v. VELOZ (HECTOR)
Petition for review denied		
S286411	E081731 Fourth Appellate District, Div. 2	PEOPLE v. CARTER (ANTOINE)
Petition for review denied		
S286421		McCRIGHT (COLVIN) v. COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION TWO (PEOPLE)
Petition for writ of mandate/prohibition denied		
S286434	F088372 Fifth Appellate District	MORRIS (SYLVESTER) ON H.C.
Petition for review denied		
S286436	B328705 Second Appellate District, Div. 1	PEOPLE v. MALLET (JEROME EVAN)
Petition for review denied		
S286459	B327302 Second Appellate District, Div. 2	PEOPLE v. McCREARY (THOMAS TERRELL)
Petition for review denied		

S286468	D082957 Fourth Appellate District, Div. 1	PEOPLE v. GROSSI (MARC DAMON)
Petition for review denied		
S286479	D082105 Fourth Appellate District, Div. 1	PEOPLE v. LOPEZ (DONTREL)
Petition for review denied		
S286482	B331080 Second Appellate District, Div. 1	MORELL (JAMES B.) v. BOARD OF RETIREMENT FOR ORANGE COUNTY EMPLOYEES' RETIREMENT SYSTEM
Petition for review denied		
S286491	E080936 Fourth Appellate District, Div. 2	PEOPLE v. HEDDY, JR., (MICHEAL WAYNE)
Petition for review denied		
S286515	B325299 Second Appellate District, Div. 4	WASTEXPERTS, INC. v. ARAKELIAN ENTERPRISES, INC.
Petition for review denied		
S286517	G062259 Fourth Appellate District, Div. 3	PEOPLE v. PETROVICH (JARED LOUIS)
Petition for review denied		
S286518	E081221 Fourth Appellate District, Div. 2	PEOPLE v. RUVALCABA (VANESSA MICHELLE)
Petition for review denied		
Liu, J., is of the opinion the petition should be granted.		
S286519	G062176 Fourth Appellate District, Div. 3	PEOPLE v. ROBERTS (JEFFREY BLAINE)
Petition for review denied		
Liu and Evans, JJ., are of the opinion the petition should be granted.		

S286521	B329796 Second Appellate District, Div. 4	PEOPLE v. FRONTUTO (SALVADOR)
Petition for review denied		
S286523	F085871 Fifth Appellate District	PEOPLE v. MONTGOMERY (SHAWN JULIAN)
Petition for review denied		
S286524	D081757 Fourth Appellate District, Div. 1	PEOPLE v. LOPEZ (MANUEL)
Petition for review denied		
S286531	B321230 Second Appellate District, Div. 6	PEOPLE v. RODRIGUEZ GRAJEDA (GERARDO)
Petition for review denied		
S286539	G063292 Fourth Appellate District, Div. 3	PEOPLE v. RENFROE (JAMES DAVID)
Petition for review denied		
S286540	B327881 Second Appellate District, Div. 6	PEOPLE v. LOPEZ (BENNY MENDEZ)
Petition for review denied		
S286546	B327229 Second Appellate District, Div. 3	PEOPLE v. AVERY (KYLE WHELAN)
Petition for review denied		
S286547	B338499 Second Appellate District, Div. 2	McCALLOCK (ROBERT JAMES) v. S.C. (PEOPLE)
Petition for review denied		
S286558	B327814 Second Appellate District, Div. 6	PEOPLE v. GREENSPON (BENJAMIN JAMES)
Petition for review denied		

S286565 B329389 Second Appellate District, Div. 2 **PEOPLE v. MUNOZ
(DELFINO OLIVAS)**

Petition for review denied

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

S286566 C100255 Third Appellate District **McKUIIN (MICHAEL) v. S.C.
(PEOPLE)**

Petition for review denied

S286584 B323297 Second Appellate District, Div. 8 **PEOPLE v. HERNANDEZ
(JUAN)**

Petition for review denied

S286587 B322328 Second Appellate District, Div. 8 **PEOPLE v. RECINOS REYES
(ANDRES ESTUARDO)**

Petition for review denied

S286764 **POLLESEL (FRANKIE) v. S.C.
(PEOPLE)**

Stay dissolved; petition denied

The petition for writ of mandate or other equitable relief is denied.

The stay previously issued by this court is dissolved.

S287010 **BATTERSBY (ERICK) v.
COURT OF APPEAL, FIRST
APPELLATE DISTRICT,
DIVISION FIVE (EADS)**

Petition for writ of mandate/prohibition & application for stay denied

S279398 **MELLENDEZ (JOSE EFRAIN
GRIMALDI) ON H.C.**

Petition for writ of habeas corpus denied

S284533**MUNDY (STANLEY WAYNE)
ON H.C.**

The petition for writ of habeas corpus and application for stay are 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].)

S284855**SMITH (CLIFFORD PAUL)
ON H.C.**

Petition for writ of habeas corpus denied

S284902**JACKSON (ROBIN LEON) ON
H.C.**

Petition for writ of habeas corpus denied

S284909**JACOME (MELVIN
ESTIWAR) ON H.C.**

Petition for writ of habeas corpus denied

S285053**CASTILLO (DAVEUM
HENRY) ON H.C.**

Petition for writ of habeas corpus denied

S285068**HAIRSTON (DERRICK
LAMAR) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S285078**HENDERSON (GERMAN
DWAYNE) ON H.C.**

Petition for writ of habeas corpus denied

S285085**CLEMONS (RODNEY
DARNELL) ON H.C.**

Petition for writ of habeas corpus denied

S285090**SIMMS, SR., (DEJWAN
RESHAD) 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].)

S285093**ODEN (TERRELL) ON H.C.**

Petition for writ of habeas corpus denied

S285104**FRANKLIN (CHRISTOPHER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].) 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 Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal].)

S285107**WORMLY (GERALD) ON
H.C.**

Petition for writ of habeas corpus denied

S285849**KENNERSON (WILLIAM
ARNOLD) ON H.C.**

Petition for writ of habeas corpus denied

S285880**HARRELL (STEVEN
ALEXANDER) 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 claims “the trial court’s sentencing of petitioner is void due to the use of enhancements that are racially disparate.”

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 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.

S285881

**NASH (NORELL
DRASHAWN) 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]; Pen. Code, § 745, subd. (j)(4).)

S285883

**WADE (CHANCELLOR
LENARD) 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].)

S286229

**HATCHETT (CECIL
JEROME) 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].) Individual claims are denied, as applicable. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S286765

**SHARP (ANTHONY ANDRE)
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].)

S286766

**SHARP (ANTHONY ANDRE)
ON H.C.**

Petition for writ of habeas corpus denied

S285771 F087185 Fifth Appellate District
Publication request denied (case closed)

IN RE P.P.

S285966 B323457 Second Appellate District, Div. 7
Publication request denied (case closed)

**LUO (XINGFEI) v. COUNTY
OF LOS ANGELES**

S285995 A169189 First Appellate District, Div. 5
Publication request denied (case closed)

**AMBROSE-GORDON
(LENNICE KATHERINE),
ESTATE OF**

S286100 G062497 Fourth Appellate District, Div. 3
Publication request denied (case closed)

**CLAY (LINDSEY) v.
CARMAX AUTO
SUPERSTORES
CALIFORNIA, LLC**

S286289 F087790 Fifth Appellate District

**GOMES (CHRISTY
CAMARA) v. S.C. (STATE OF
CALIFORNIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 1, 2024.

S286296 C101487 Third Appellate District

**HOLMAN (RYAN) v. S.C.
(COUNTY OF BUTTE)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 1, 2024.

S286380 B325803 Second Appellate District, Div. 7

**VALENCIA, JR., (MIGUEL) v.
MENDOZA (ARMANDO)**

The time for granting or denying review in the above-entitled matter is hereby extended to November 8, 2024.

S286439 H051944 Sixth Appellate District

IN RE S.A.

The time for granting or denying review in the above-entitled matter is hereby extended to November 13, 2024.

S175660**PEOPLE v. AGUIRRE (JASON ALEJANDRO)**

Application to file over-length brief granted

Appellant's, "Application for Leave to File Overlength Reply to Second Supplemental Respondent's Brief," filed on September 24, 2024, is hereby granted.

S248590**PEOPLE v. BRACAMONTES (LUIS ENRIQUEZ MONROY)**

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 December 2, 2024.

S283326 A165613 First Appellate District, Div. 4**PEOPLE v. WILEY (ERIC DAVID)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to November 6, 2024.

S285730**WILLIS (ANDRE) 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 November 4, 2024.

S286529**KELLY (JEROME EUGENE) 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 28, 2024.

S286292**ACCUSATION OF REW**

Petition denied

(accusation)

S286313

Petition denied

(accusation)

ACCUSATION OF RAJCZI**S286024**

Recommended discipline imposed: disbarred

ERAUSQUIN ON DISCIPLINE

The court orders that MATTHEW JAMES ERAUSQUIN (Respondent), State Bar Number 255217, is summarily disbarred from the practice of law 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 subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order].)

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.

S286270

Recommended discipline imposed

TOM ON DISCIPLINE

The court orders that RICHARD S. TOM (Respondent), State Bar Number 127292, 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 30 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 June 24, 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 June 24, 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 \$1,250 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.

S286271**ANDION ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES LEE ANDION (Respondent), State Bar Number 93276, is suspended from the practice of law in California for five years, execution of that period of suspension is stayed, and Respondent is placed on probation for five years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first three years of probation, and Respondent will remain suspended until providing proof to the State Bar Court of rehabilitation, fitness to practice and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. Respondent must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 27, 2024.
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Order Approving Stipulation filed on June 27, 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 \$7,000 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.

S286272**EILENBERG ON DISCIPLINE**

Recommended discipline imposed

The court orders that BENJAMIN A. EILENBERG (Respondent), State Bar Number 261288, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and Respondent is placed on probation for three years subject to the following conditions:

1. Respondent is suspended from the practice of law for a minimum of the first two years of probation (with credit given for the period of inactive enrollment which commenced on June 4, 2021 and terminated on June 5, 2023 (Bus. & Prof. Code, § 6233)), and Respondent will remain suspended until the following requirement is satisfied:
 - i. Respondent provides proof to the State Bar Court of rehabilitation, fitness to practice, and present learning and ability in the general law. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.2(c)(1).)
2. Respondent must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on June 27, 2024.
3. At the expiration of the period of probation, if Respondent has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

Respondent must provide to the State Bar's Office of Probation proof of taking and passing the Multistate Professional Responsibility Examination as recommended by the Hearing Department in its Decision filed on June 27, 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 \$9,750 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.

S286997**BARBER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELIZABETH BLACKMORE BARBER, State Bar Number 268833, as an attorney of the State Bar of California is accepted.

S287012**DENEBEIM ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEVEN KARL DENEBEIM, State Bar Number 114771, as an attorney of the State Bar of California is accepted.

S287013**EURESTI ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELIZABETH LYNN EURESTI, State Bar Number 289553, as an attorney of the State Bar of California is accepted.

S287014**HARDERS ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of WALTER SCOTT HARDERS, State Bar Number 193721, as an attorney of the State Bar of California is accepted.

S287015**HILSMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JEREMY JOHN HILSMAN, State Bar Number 211989, as an attorney of the State Bar of California is accepted.

S287016**KEEBLER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MICHAEL JOHN KEEBLER, State Bar Number 113033, as an attorney of the State Bar of California is accepted.

S287017**LASCHER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUSAN BARBARA LASCHER, State Bar Number 124787, as an attorney of the State Bar of California is accepted.

S287018**MANVELIAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MATTHEW M. MANVELIAN, State Bar Number 272245, as an attorney of the State Bar of California is accepted.

S287019**MEYERS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of KENNETH STEVEN MEYERS, State Bar Number 99959, as an attorney of the State Bar of California is accepted.

S287020**O'BRIEN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LAUREN LYNN O'BRIEN, State Bar Number 157118, as an attorney of the State Bar of California is accepted.

S287021**PAPAGODA ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SUZANN ELLEN PAPAGODA, State Bar Number 151771, as an attorney of the State Bar of California is accepted.

S287022**RADER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEPHEN PAUL RADER, State Bar Number 99096, as an attorney of the State Bar of California is accepted.

S287023**RANDALL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SARAH JANELLE RANDALL, State Bar Number 232514, as an attorney of the State Bar of California is accepted.

S287024**RIGG ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHARLES GEROLD RIGG, State Bar Number 45825, as an attorney of the State Bar of California is accepted.

S287025**SCHULKEN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of LINDA MARIE SCHULKEN, State Bar Number 178382, as an attorney of the State Bar of California is accepted.

S287026**SWIFT ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PATRICIA ANN SWIFT, State Bar Number 202986, as an attorney of the State Bar of California is accepted.

S287027**THAXTER ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CHELSEA VALENTINE THAXTER, State Bar Number 240692, as an attorney of the State Bar of California is accepted.

S287028

ZAHID ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of IRMA KARLA ZAHID, State Bar Number 106507, as an attorney of the State Bar of California is accepted.