

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 25, 2023
SAN FRANCISCO, CALIFORNIA**

S269509 B300167 Second Appellate District, Div. 2 **PEOPLE v. GRAHAM
(JESSALYNN KENDY)**

Order filed: holding for new lead case

Defendant Jessalynn Kendy Graham’s petition for review was granted on September 1, 2021, and further action was deferred pending consideration and disposition of a related issue in *People v. Braden* (2023) 14 Cal.5th 791. On September 12, 2022, defendant filed an “Application for Transfer” to the Court of Appeal requesting relief under the 2021 amendments to Penal Code section 1170, subdivision (b). In light of this motion, further action in this matter is deferred pending consideration and disposition of related issues in *People v. Lynch*, S274942 and *People v. Salazar*, S275788 (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.

S281324 B321066 Second Appellate District, Div. 8 **PEOPLE v. NAVARRO
(FRANCISCO SANDOVAL)**

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. Curiel*, S272238 (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.

S281826 F083132 Fifth Appellate District **PEOPLE v. STAFFORD
(KELLY DEAN)**

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.

S281862 A165018 First Appellate District, Div. 5**PEOPLE v. GRAHAM (MARK ALAN)**

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. Walker*, S278309 (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.

S281898 H048986 Sixth Appellate District**PEOPLE v. CERVANTES (GUILLERMO MADRIGAL)**

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. Reynoza*, S273797 (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.

S281937 C096773 Third Appellate District**KIELAR (MARK) v. S.C. (HYUNDAI MOTOR AMERICA)**

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 *Ford Motor Warranty Cases*, S279969 (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.

S281938 B321015 Second Appellate District, Div. 1**IN RE D.L.**

Petition for review granted; briefing deferred

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

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

S281526 C097389 Third Appellate District **PEOPLE v. KIMBLE (KELLY VAUGHN)**

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 the Attorney General's concession that defendant was entitled to resentencing under the revised penalty provisions of the Three Strikes Reform Act. (Cal. Rules of Court, rule 8.528(d).)

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above-entitled appeal filed July 14, 2023, which appears at 93 Cal.App.5th 582. (Cal. Const., art. VI, § 14; Cal. Rules of Court, rule 8.1125(c)(2).) (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. 3.)

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

S281885 B331272 Second Appellate District, Div. 2 **ONE MUSEUM SQUARE LLC v. S.C. (WESTERN SURETY COMPANY)**

Petition for review granted; transferred to Court of Appeal, Second 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, Second Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order directing the superior court to show cause why the relief sought in the petition should not be granted. (Cal. Rules of Court, rule 8.528(d).)

Pending further order of the Court of Appeal, the trial court proceedings are hereby stayed.

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

S267394 C090409 Third Appellate District **PEOPLE v. CURRY (DAVID HENRY)**

Transferred to Court of Appeal, Third Appellate District, after hold

The above-captioned matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of our decision in *People v. Braden* (2023) 14 Cal.5th 791, and to provide any other relief to which defendant is entitled. (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, par. 3, the opinion is hereby rendered either "depublished" or "not citable."

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

S268936 C090655 Third Appellate District **PEOPLE v. WADE**
(CHANCELLOR LENARD)

Dismissed and remanded to Court of Appeal, Third Appellate District

Review in the above-captioned matter, which was granted and held for *People v. Braden* (2023) 14 Cal.5th 791, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S270895 D078183 Fourth Appellate District, Div. 1 **PEOPLE v. RODRIGUEZ**
(DANAE MARIE)

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

Review in the above-captioned matter, which was granted and held for *People v. Braden* (2023) 14 Cal.5th 791, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).) As specified by rule 8.1115(e)(2) of the California Rules of Court, pursuant to this order the Court of Appeal's opinion, filed September 2, 2021, which appears at 68 Cal.App.5th 584, is non-citable and nonprecedential "to the extent it is inconsistent with" our decision in *Braden*.

Guerrero, C. J., was recused and did not participate.

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

S272860 A155950 First Appellate District, Div. 4 **PEOPLE v. WEITH (JAN A.)**
Dismissed and remanded to Court of Appeal, First Appellate District, Division Four

Review in the above-captioned matter, which was granted and held for *People v. Braden* (2023) 14 Cal.5th 791, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S279423 D080380 Fourth Appellate District, Div. 1 **PEOPLE v. SANCHEZ**
(HECTOR DANIEL)

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

The above-captioned matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and reconsider the cause in light of our decision in *People v. Braden* (2023) 14 Cal.5th 791. (See *id.* at p. 818, fn. 15; Cal. Rules of Court, rule 8.528(d).)

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

S281918

**TINNEY (BRIAN) ON
CLEMENCY**

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

October 25, 2023

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

Re: Brian Tinney
Legal Affairs File No.: GO No. CR-3012-18
Case Number: S281918
Executive Clemency Number: 1248

Dear Governor Newsom:

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

Sincerely,

PATRICIA GUERRERO

Chief Justice of California

S281348

**LOPEZ (ARTHUR) v.
COVARRUBIAS
(CHRISTOPHER)**

Petition for review denied

S281353

**LOPEZ (ARTHUR) v.
FIGUEROA (PABLO
RAFAEL)**

Petition for review denied

S281487 G061004 Fourth Appellate District, Div. 3

The requests to appear as counsel pro hac vice are granted.
The petition for review is denied.

**GRACE (KATHLEEN) v. THE
WALT DISNEY COMPANY**

S281515 C097264 Third Appellate District

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

**PEOPLE v. PHILLIPS
(ANTONIO MONTRELL)**

S281566 G060892 Fourth Appellate District, Div. 3

Petition for review & depublication request(s) denied

**CAMACHO (RAUL) v. JLG
INDUSTRIES INC.**

S281574 G061331 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SLATER
(ROBERT IRVING)**

S281622

Petition for review denied

**ORTIZ (YAZMIN) v. EISLER
(RUDY)**

S281634 C094344 Third Appellate District

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

**SCACCIA (BRIAN) v.
SCACCIA, JR., (JOHN)**

S281668 E074939 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. SCOTT
(DERRICK ANTHONY)**

S281695 B323084 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. RAMIREZ
(EFRAIN)**

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| S281711 | B319175 Second Appellate District, Div. 6 | PEOPLE v. FUENTESFLORES (CARLOS) |
| Petition for review denied | | |
| S281736 | B315031 Second Appellate District, Div. 4 | ISOM (MICHAEL R.) v. MacCARTHY (BRANDON T.) |
| Petition for review denied | | |
| S281739 | A163638 First Appellate District, Div. 4 | VILCHES (FRANK) v. LEAO (MICHELLE) |
| Petition for review denied | | |
| S281744 | B314973 Second Appellate District, Div. 3 | COALITION OF COUNTY UNIONS v. LOS ANGELES COUNTY BOARD OF SUPERVISORS; RE-IMAGINE LOS ANGELES COUNTY COALITION |
| Petition for review denied | | |
| Jenkins, J., was recused and did not participate. | | |
| S281778 | D082533 Fourth Appellate District, Div. 1 | ACEDO (DANIEL) v. S.C. (PEOPLE) |
| Petition for review denied | | |
| S281781 | H049311 Sixth Appellate District | INTELLISOFT, LTD. v. ACER AMERICA CORPORATION |
| Petition for review & publication request(s) denied | | |
| S281797 | A164935/A166022 First Appellate District, Div. 5 | TRAIMAN (LELAND) v. ALAMEDA UNIFIED SCHOOL DISTRICT |
| Petition for review denied | | |

S281814 F083126 Fifth Appellate District

Petition for review denied

**PEOPLE v. OKUWOGA
(TOKUNBO ARTHUR)**

S281818 E081777 Fourth Appellate District, Div. 2

Petition for review denied

**RIDEAU (GREGORY) ON
H.C.**

S281824 E078497 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ALVARADO
(JUAN CARLOS LOPEZ)**

S281829 B323890 Second Appellate District, Div. 4

Petition for review & publication request(s) denied

**PEOPLE v. BOYD (HARRY
JACKSON)**

S281837 A168338 First Appellate District, Div. 2

Petition for review denied

**MISHIN (DMITRI) v. S.C.
(PEOPLE)**

S281842 A162883 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BLACKWELL
(COSTELLO)**

S281854 B320667 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GUTIERREZ
(ADRIAN)**

S281865 E079750 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. VANCE, JR.,
(GREGORY)**

S281868 D080359 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VAUGHN
(ANTON LAMAR)**

S281891 D079680 Fourth Appellate District, Div. 1

Petition for review denied
Guerrero, C. J., was recused and did not participate.

PEOPLE v. DIKES (MICHAEL GERALD)

S281919 F084151 Fifth Appellate District

Petition for review denied

PEOPLE v. GARCIA (JOEL RUBEN)

S281922 A165853 First Appellate District, Div. 4

Petition for review denied

VITAL BUILDING & ENTERPRISES, INC. v. BOISVERT (RENE)

S281927 C097144 Third Appellate District

Petition for review denied

TORRES (ELVIRA) v. S.C. (PEOPLE)

S281932 E074875 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. SEAHOLM (CAMERON CHARLES)

S281936

Petition for writ of mandate/prohibition denied

FLINDERS (MATTHEW) v. STATE BAR OF CALIFORNIA

S281946 A165264 First Appellate District, Div. 4

Petition for review denied

PEOPLE v. WILLIAMS (KRISTOPHER MICHAEL)

S281952 E080205 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

VALDEZ (PONCILO) v. S.C. (PEOPLE)

S282163 B327653 Second Appellate District, Div. 8

BRENNER (MICHAEL BENNETT) v. S.C. (MEDICAL BOARD OF CALIFORNIA, DEPARTMENT OF CONSUMER AFFAIRS)

Petition for review & application for stay denied

S276208

Petition for writ of habeas corpus denied

RAMIREZ (JOSEPH) ON H.C.

S279905

Petition for writ of habeas corpus denied

PAISANO (NORMA) ON H.C.

S280548

Petition for writ of habeas corpus denied

POLK (SUSAN MAE) ON H.C.

S281097

Petition for writ of habeas corpus denied

WREN (JEFFREY CHARLES) ON H.C.

S281124

Petition for writ of habeas corpus denied

JACOB (ANTHONY WAYNE) ON H.C.

S281130

Petition for writ of habeas corpus denied

SAENZ (ROBERT) ON H.C.

S281133

Petition for writ of habeas corpus denied

PEREZ (URIEL) ON H.C.

S281134

Petition for writ of habeas corpus denied

KELLY (LAMAR) ON H.C.

S281137

Petition for writ of habeas corpus denied

**ANDREWS (JOSEPH
MICHAEL) ON H.C.****S281138**

Petition for writ of habeas corpus denied

**KING (MICHAEL STEVEN)
ON H.C.****S281155**

Petition for writ of habeas corpus denied

REID (WALTER R.) ON H.C.**S281206**

Petition for writ of habeas corpus denied

**CALZADA (JOVENCIO
DELA) ON H.C.****S281220**

Petition for writ of habeas corpus denied

**GOODLOW (SHERODE) ON
H.C.****S281759**

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].)

**LEWIS (PAUL DIXON) ON
H.C.****S281777**

Petition for writ of habeas corpus denied

**THOMPSON (DEWAYNE) ON
H.C.****S281821**

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 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].)

**NEILSON II (GERALD
WILLIAM) ON H.C.**

S282004**HARELL (CHAUNSIE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See Pen. Code, § 745, subd. (j)(3).)

S281344 H049809 Sixth Appellate District**WILCOX (COLLEEN) v.
CALIFORNIA STATE
TEACHERS' RETIRMENT
SYSTEM**

Publication request denied (case closed)

S281351 C093064 Third Appellate District**EQUITZ (MICHAEL C.) v.
SEACO AMERICA, LLC**

Publication request denied (case closed)

S281391 B322269 Second Appellate District, Div. 7**HIGGINS (KIMBERLY K.) v.
ENVIRONMENTAL DESIGN
STUDIO**

Publication request denied (case closed)

S281584 A162932 First Appellate District, Div. 2**HEARN (JENNIE &
ROCKFORD), MARRIAGE
OF**

Depublication request denied (case closed)

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

S281689 B319442 Second Appellate District, Div. 5**IN RE Z.F.V.**

Publication request denied (case closed)

S281801**DUARTE (FRANCISCO) v.
MORRIS (LEONARD R.)**

Depublication request denied (case closed)

S281955 D080122 Fourth Appellate District, Div. 1 **ATON CENTER, INC. v.
UNITED HEALTHCARE
INSURANCE COMPANY**

Depublication request denied (case closed)

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

S281713 B325978 Second Appellate District, Div. 2 **IN RE K.M.**
The time for granting or denying review in the above-entitled matter is hereby extended to
December 4, 2023.

S281714 B316745 Second Appellate District, Div. 2 **ALLIANCE MARC & EVA
STERN MATH & SCIENCE
HIGH SCHOOL v. PUBLIC
EMPLOYMENT RELATIONS
BOARD (UNITED TEACHERS
LOS ANGELES)**

The time for granting or denying review in the above-entitled matter is hereby extended to
December 5, 2023.

S281720 B321344/B323677 Second Appellate District, Div. 2 **IN RE K.M.**
The time for granting or denying review in the above-entitled matter is hereby extended to
December 4, 2023.

S281743 F085715 Fifth Appellate District **GREGORY (KENNETH) v.
S.C. (MIKE CLARK
TRUCKING)**

The time for granting or denying review in the above-entitled matter is hereby extended to
December 5, 2023.

S281773 G061141 Fourth Appellate District, Div. 3 **RUNNELLS (CLAUDIA
MARIE), ESTATE OF**

The time for granting or denying review in the above-entitled matter is hereby extended to
December 7, 2023.

S281790 A163496 First Appellate District, Div. 3 **PEOPLE v. GUDINO (DANIEL ANTONIO)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 11, 2023.

S281803 F083583 Fifth Appellate District **LITTLE (LAURENCE MITCHELL) v. SINGH (DAVID)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 8, 2023.

S281810 G061254 Fourth Appellate District, Div. 3 **LOPEZ (ARTHUR) v. MUFG HOLDING CORPORATION**

The time for granting or denying review in the above-entitled matter is hereby extended to December 12, 2023.

S281846 D080199 Fourth Appellate District, Div. 1 **ALLIANCE SAN DIEGO v. CITY OF SAN DIEGO**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2023.

S281847 A168070 First Appellate District, Div. 1 **CALIFORNIA DEPARTMENT OF CORRECTIONS & REHABILITATION v. S.C. (HANCOCK)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2023.

S281849 **DREVALEVA (TATYANA E.) v. ALAMEDA HEALTH SYSTEM**

The time for granting or denying review in the above-entitled matter is hereby extended to December 14, 2023.

S093944**PEOPLE v. BERTSCH (JOHN ANTHONY) & HRONIS (JEFFERY LEE)**

Extension of time granted

Based upon counsel Alex Coolman's representation that appellant John Anthony Bertsch's reply brief is anticipated to be filed by April 22, 2024, an extension of time to serve and file that brief is granted to December 22, 2023. After that date, only two further extensions totaling about 122 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).)

S239724**PEOPLE v. LOPEZ (JOHNNY)**

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 26, 2023.

S279969 B312261/B312345/B312350/B312356/B312360
Second Appellate District, Div. 8**FORD MOTOR WARRANTY CASES**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 16, 2024.

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

Record decertification granted

Appellant's "Motion to Decertify the Record and Remand to the Superior Court for Augmentation, Settlement, and Correction," filed July 7, 2023, is granted as follows. The matter of the certification for accuracy of the record on appeal is remanded to the superior court. The superior court is ordered to consider the requests made in appellant's motion and to prepare any corrections and additional materials necessary to creating a record that complies with rule 8.610 of the California Rules of Court. All corrections and material added to the existing record pursuant to this order must be sent to appellate counsel for the parties, who must promptly review such corrections and material for compliance with this order and, when they have finished their review, inform the superior court either that the record is ready to be recertified for accuracy or that specific further additions or corrections should be made. The superior court is ordered to then prepare all corrections and additional materials, recertify the record for accuracy, and send the

corrections and additional materials to this court, with copies to counsel, and to do so by February 22, 2024.

S274340 G058397/G058969 Fourth Appellate District, Div. 3 **ESTRADA (JORGE LUIS) v. ROYALTY CARPET MILLS, INC.**

Order filed

The request of counsel for appellant Royalty Carpet Mills, Inc., to allocate to amicus curiae Chamber of Commerce of the United States of America, California Chamber of Commerce, National Retail Federation, and Retail Litigation Center, Inc., 10 minutes of appellant's 30-minute allotted time for oral argument is hereby granted.

S280256 B314490 Second Appellate District, Div. 8 **FUENTES (EVANGELINA YANEZ) v. EMPIRE NISSAN, INC.**

Motion to file document under seal denied

Appellants' application for permission to file an unredacted certificate of interested entities or persons under seal, filed on August 25, 2023, is denied. The Clerk is directed to notify appellants that an unredacted certificate of interested entities or persons must be served and filed within 15 days from the issuance of the Clerk's notice. (See Cal. Rules of Court, rule 8.208(d)(3).) The court will deem this directive satisfied if appellants notify the court within 15 days of issuance of the Clerk's notice that the unredacted certificate of interested entities or persons, as previously lodged with the court on August 25, 2023, has been served by appellants and should be filed by the Clerk.

S281931 C095414 Third Appellate District **PEOPLE v. PEREZ-ROBLES (FERMIN)**

Order filed

Pursuant to the Court of Appeal's order filed September 18, 2023, granting partial publication, the request for publication filed on September 26, 2023, is hereby denied as moot.

S281834 **ACCUSATION OF HASLER**
Petition denied (accusation)

S279851**PAVONE ON DISCIPLINE**

Petition for review denied; recommended discipline imposed

The petition for review is denied.

The court orders that BENJAMIN LAURENCE PAVONE (Respondent), State Bar Number 181825, 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 also comply with the other conditions of probation recommend by the Review Department of the State Bar Court in its Opinion filed February 21, 2023; 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 Review Department in its Opinion filed February 21, 2023. Failure to do so may result in suspension (Cal. Rules of Court, rule 9.10(b).)

Respondent must pay monetary sanctions to the State Bar of California Client Trust Security Fund in the amount of \$2,500 in accordance with Business and Professions Code section 6086.13 and rule 5.1357 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.

S273840

A159026 First Appellate District, Div. 3

PEOPLE v. FAIAL (JERRY ANTHONY)

Motion denied

Appellant Jerry Anthony Faial's "Application for Immediate Partial Remand to Avoid Dead Time" filed April 3, 2023, and his "Motion for Limited Remand" filed June 27, 2022, are denied.