

**SUPREME COURT MINUTES
WEDNESDAY, OCTOBER 30, 2024
SAN FRANCISCO, CALIFORNIA**

S286699 B327683 Second Appellate District, Div. 6 **M. (J.) v. ILLUMINATE
EDUCATION, INC.**

Petition for review granted

The application to appear as counsel pro hac vice is denied without prejudice to re-submit in compliance with California Rules of Court, rule 9.40(d).

Petitioner's motion to file the unredacted petition for review under seal is granted. (Cal. Rules of Court, rules 2.550(d), 8.46(d).) In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(d)(6). The clerk of this court is directed to file the unredacted petition for review under seal.

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 103 Cal.App.5th 1125, 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.)

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

S286742 D083392 Fourth Appellate District, Div. 1 **PEOPLE v. MARQUEZ
(ISSAC GOMEZ)**

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.

S284011 B312212/B316290 Second Appellate District, Div. 5 **MORALES (CHRISTOPHER)**
v. GARFIELD BEACH CVS,
LLC; HYAMS (RYAN)

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

Review in the above-captioned matter, which was granted and held for *Turrieta v. Lyft, Inc.* (2024) 16 Cal.5th 664, is hereby dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)

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

S286456

LOPEZ (ARTHUR) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION ONE (S.C.)

Vexatious litigant application denied

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

S286463

LOPEZ (ARTHUR) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT
(GORDON)

Vexatious litigant application denied

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

S286470

LOPEZ (ARTHUR) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT
(CALIFORNIA
DEPARTMENT OF MOTOR
VEHICLES)

Vexatious litigant application denied

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

S286571

**LOPEZ (ARTHUR) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION THREE (LOPEZ)**

Vexatious litigant application denied

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

S286671

**LOPEZ (ARTHUR) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION THREE (LOPEZ)**

Vexatious litigant application denied

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

S286784

**LOPEZ (ARTHUR) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION THREE (LOPEZ)**

Vexatious litigant application denied

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

S286794

**LOPEZ (ARTHUR) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION TWO (COUNTY
OF RIVERSIDE)**

Vexatious litigant application denied

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

S285731

**KRENITZKY (ALLAN) 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 30, 2024

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

Re: Allan Krenitzky
Legal Affairs File No.: GO No. 6357-18
Case Number: S285731
Executive Clemency Number: 1250

Dear Governor Newsom:

On the application of Allan Krenitzky for commutation of sentence, your office requested a recommendation under article V, section 8 of the California Constitution in order to grant a commutation of sentence to the applicant. The request stated that: "The Governor is contemplating a commutation of sentence that would make Mr. Krenitzky eligible for a parole suitability hearing." The court, with at least four judges concurring, hereby grants the request and issues the recommendation required by article V, section 8.

Sincerely,

PATRICIA GUERRERO

Chief Justice of California

S286295 A167372 First Appellate District, Div. 1

Petition for review denied

**H. (S.), CONSERVATORSHIP
OF**

S286585 D083782 Fourth Appellate District, Div. 1

Petition for review denied

**ALFORD (PAUL MARK) v.
NOVAK (KORI)**

S286644 C089972 Third Appellate District

Petition for review denied

**NORTHERN CALIFORNIA
COLLECTION SERVICE,
INC. v. PIERSON III
(RAYMOND H.); McINTYRE
(GERALD)**

S286652 G061805/G061821/G061858

Fourth Appellate District, Div. 3

**IRVINE, CITY OF v.
KINGSTON KOHR, LLC**

Petition for review & publication request(s) denied

S286700 B322705 Second Appellate District, Div. 2

**SKY LIFT AERONAUTICS,
LLC v. LOCKHEED MARTIN
CORPORATION**

Petition for review denied

S286703 H051359 Sixth Appellate District

**TAYLOR (KENT) v. CITY OF
SUNNYVALE**

Petition for review denied

S286707 E078961 Fourth Appellate District, Div. 2

**RIVERSIDERS AGAINST
INCREASED TAXES v. CITY
OF RIVERSIDE; SPENCER
(REBECCA)**

Petition for review denied

S286710 B339794 Second Appellate District, Div. 4

**ASH (HIRAM) v. S.C. (JACOB
SLEVKOV FAMILY TRUST
2009)**

Petition for review denied

S286712 B340083 Second Appellate District, Div. 3

LGT v. S.C. (GOLDBERG)

Petition for review denied

S286722 G062405 Fourth Appellate District, Div. 3

**PEOPLE v. GUIDRY II (JOHN
EARL)**

Petition for review denied

S286751 C097929 Third Appellate District

**MEYER (LIAM) v.
DEPARTMENT OF WATER
RESOURCES**

Petition for review denied

S286761 B339944 Second Appellate District, Div. 3
Petition for review denied

LGT v. S.C. (GOLDBERG)

S286798 A169314 First Appellate District, Div. 5

Petition for review denied
Groban, J., is of the opinion the petition should be granted.

**WEST CONTRA COSTA
UNIFIED SCHOOL DISTRICT
v. S.C. (A.M.M.)**

S286800

Petition for review denied

**DULANTO (JOSE MANUEL)
v. LORI (WILLIAM E.)**

S286820 B336243 Second Appellate District, Div. 1

Petition for review denied

**LOS ANGELES COUNTY
METROPOLITAN TRANSIT
AUTHORITY v. WORKERS'
COMPENSATION APPEALS
BOARD & BURTON (LINDA)**

S286853 B337702 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. RANDALL
(PIERRE)**

S286855 C099278 Third Appellate District

Petition for review denied

**ZHOU (XINYAO) v. HOTEL
WINTERS, LLC**

S286873 B324668 Second Appellate District, Div. 8

Petition for review denied

**GERBER (WILLIAM RENO)
v. WATERS (CONNIE)**

S286905 H051322/H051323 Sixth Appellate District

Petition for review denied

**CENTER FOR BIOLOGICAL
DIVERSITY v. COUNTY OF
SAN BENITO (RUHNKE)**

S286912 D082687 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DAVIS (LARRY
EMIL)**

S286922 B330104 Second Appellate District, Div. 3

Petitions for review denied

**PEOPLE v. AYALA
(VALENTINE)**

S286954 C099366 Third Appellate District

Petition for review denied

**ASSELIN-NORMAND
(JONATHAN) v. CROSSLAND
SACRAMENTO**

S286975 D082585 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MADRID
(ANTONIO)**

S287011 B329286 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. GIRAL
(RAYMOND)**

S287035 A167805 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. COOPER (AARON
LYNDALL)**

S287039 A171230 First Appellate District, Div. 3

Petition for review denied

FINK (DAVID) ON H.C.

S287043 D083244 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LOCKE (MARVIN
K)**

S287049 C097811 Third Appellate District

Petition for review denied

**PEOPLE v. HARDLEY
(ROOSEVELT)**

S287057	B329991 Second Appellate District, Div. 2	PEOPLE v. SALINAS (MICHAEL JOHN)
Petition for review denied		
S287062	C098280 Third Appellate District	PEOPLE v. LOONEY (LARNELL)
Petition for review denied		
S287065	B320065 Second Appellate District, Div. 8	PEOPLE v. FUENTES (ADEMAR OSBELI)
Petition for review denied		
S287067	H050555 Sixth Appellate District	PEOPLE v. WILLIAMS (JEROME LEMEAL)
Petition for review denied		
S287071	G063224 Fourth Appellate District, Div. 3	PEOPLE v. RAMIREZ (LUIS)
Petition for review denied		
Groban, J., is of the opinion the petition should be granted.		
S287074	B323698 Second Appellate District, Div. 4	KISAKA (DOUG) v. UNIVERSITY OF SOUTHERN CALIFORNIA
Petition for review denied		
S287076	A151488 First Appellate District, Div. 1	PEOPLE v. CAMPHOR, JR., (HENRY L.)
Petition for review denied		
S287080	E082110 Fourth Appellate District, Div. 2	PEOPLE v. TORRES VALDEZ, JR., (JOSE ANGEL)
Petition for review denied		
S287087	B331744 Second Appellate District, Div. 6	PEOPLE v. WILLIAMS (DERRICK DEON)
Petition for review denied		

S287093 F086269 Fifth Appellate District

Petition for review denied

**PEOPLE v. ALVAREZ
(HECTOR CAYETANO)**

S287094 B330504 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. GARIBAY (LOUIS
ALBERTO)**

S287096 C097381 Third Appellate District

Petition for review denied

**PEOPLE v. BOGDANOFF
(ZUBIN DIMITRI)**

S287098 C097731 Third Appellate District

Petition for review denied

**PEOPLE v. JACKSON
(LAMON EDWARD)**

S287099 D083780 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MARTINEZ-
VALENZUELA (LUIS
ENRIQUE)**

S287101 F085448 Fifth Appellate District

Petition for review denied

**PEOPLE v. HUGHES
(JOSEPH ALLEN)**

S287102 C098975 Third Appellate District

Petition for review denied

**PEOPLE v. ATKINSON
(FREDERICK WAYNE)**

S287121

Petition for writ of mandate/prohibition denied

**BALLESTER (ELEANOR
LeCLAIR) v. SUPREME
COURT OF CALIFORNIA
(PEOPLE)**

S287123	B327434 Second Appellate District, Div. 4	PEOPLE v. MARTINEZ (FELIPE FERNANDO)
Petition for review denied		
S287158		LUONG (PHUONG DUY) v. STATE BAR OF CALIFORNIA, OFFICE OF ADMISSIONS
Petition for review denied		
S287199	G064653 Fourth Appellate District, Div. 3	MILLER (OMAR) v. S.C. (PEOPLE)
Petition for review & application for stay denied Liu and Evans, JJ., are of the opinion the petition should be granted.		
S287395	G064742 Fourth Appellate District, Div. 3	NGUYEN (PETER) v. S.C. (DENT)
Petition for review & application for stay denied		
S287396	G064740 Fourth Appellate District, Div. 3	NGUYEN (PETER) v. S.C. (DENT)
Petition for review & application for stay denied		
S287416	E084666 Fourth Appellate District, Div. 2	LAPIENES (LORIE) v. S.C. (VLAHOS)
Petition for review & application for stay denied		
S287424	E084171 Fourth Appellate District, Div. 2	LAPIENES (LORIE) v. VLAHOS (JAMES)
Petition for review & application for stay denied		
S282854		GUTIERREZ (HECTOR HERNANDEZ) ON H.C.
Petition for writ of habeas corpus denied		

S285116**VAZQUEZ (SALVADOR
FRANCISCO) 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].)

S285121**DOTSON (DARRYL
ALVERTIS) ON H.C.**

Petition for writ of habeas corpus denied

S285132**PEREZ (SAMUEL) ON H.C.**

Petition for writ of habeas corpus denied

S285236**STEWART (NATHAN DAVID)
ON H.C.**

Petition for writ of habeas corpus denied

S285254**SALAS (TOMAS) 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].)

S285260**MORA (SERGIO) 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 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].)

S285330**BEAN (ANTHONY
CORNELL) 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].)

S285350

Petition for writ of habeas corpus denied

**LOPEZ (ALEJANDRO) ON
H.C.****S285358**

Petition for writ of habeas corpus denied

**PASCHALL (LAMAR S.) ON
H.C.****S285374**

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].)

**MARCUS (MELANIE LYNN)
ON H.C.****S285403**

Petition for writ of habeas corpus denied

**CIOTTA (STEVEN ALLEN)
ON H.C.****S285410**

Petition for writ of habeas corpus denied

**HAWKINS (KENNETH
LEQUIEZ) ON H.C.****S285495**

Petition for writ of habeas corpus denied

BERNAL (ARTURO) ON H.C.**S285500**

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].)

**SOWELL III (NATHANIEL)
ON H.C.****S285542**

Petition for writ of habeas corpus denied

GUILLEN (JOVANI) ON H.C.

S285563**HARNDEN (JEFFREY
SCOTT) ON H.C.**

Petition for writ of habeas corpus denied

S285610**CORRALES (GEORGE
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S285625**BRADWAY (GABRIEL JOHN)
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 *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]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S285626**SAECHAO (DAVID) 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].)

S285652**WASHINGTON (MARCUS
LEE) ON H.C.**

Petition for writ of habeas corpus denied

S285653**ROJO (CESAR JOSE) 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].)

S285709**JOY (MARCUS CHARLES)
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].)

S285716**RICKS (DAVONTE DUCHEY)
ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to filing a motion in the trial court pursuant to Penal Code section 1203.01. (See *In re Cook* (2019) 7 Cal.5th 439.)

S285738**HAYWOOD (RONYAE
MARCUS) 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 Waltreus* (1965) 62 Cal.2d 218, 225 [courts will not entertain habeas corpus claims that were rejected on appeal]; *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]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; *In re Lindley* (1947) 29 Cal.2d 709, 723 [courts will not entertain habeas corpus claims that attack the sufficiency of the evidence].)

S284672**PHILLIPS (ANTHONY) ON
H.C.**

Order: (dispositive)

The Attorney General's motion to dismiss the petition for writ of habeas corpus is granted. The petition for writ of habeas corpus is dismissed without prejudice to refiling the petition in this court following the disposition of the petitions for writ of habeas corpus currently filed in Santa Clara County Superior Court in case numbers C2402564 and C2405946.

S287051

G063909 Fourth Appellate District, Div. 3

**MEDINA (JOSE) v. ST.
GEORGE AUTO SALES, INC.**

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.

S286919 B339940 Second Appellate District, Div. 5 **PEOPLE v. PARKS
(MICHAEL)**

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

S286995 B339653 Second Appellate District, Div. 2 **PEOPLE v. STANFIELD (JAI)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 19, 2024.

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

Extension of time granted

Upon application of counsel Joseph Baxter, an extension of time in which to serve and file appellant's supplemental opening brief is granted to December 27, 2024. 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.

S222619 **PEOPLE v. SYKES (KESAUN
KEDRON)**

Extension of time granted

Based upon counsel David P. Lampkin's representation that the appellant's reply brief is anticipated to be filed by December 16, 2024, an extension of time in which to serve and file that brief is granted to December 16, 2024. After that date, no further extension is contemplated.

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 December 6, 2024. No further extensions are contemplated.

S283862 A165558 First Appellate District, Div. 4
Extension of time granted

GILEAD TENOFOVIR CASES

On application of ALLvanza, Global Coalition on Aging, HIV and Hepatitis Policy Institute, Liver Coalition of San Diego, National Minority Quality Forum, Partnership to Fight Chronic Disease, and Phill Wilson, and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief is extended to November 25, 2024.

S015008

**PEOPLE v. SCHMECK
(MARK LINDSEY)**

Motion denied

The “Application for Appointment as Substitute Lead and Associate Counsel for Habeas Corpus, Racial Justice Act, and Executive Clemency Purposes,” filed by Attorneys Brian M. Pomerantz and Saor E. Stetler on August 5, 2024, is denied without prejudice to counsel’s ability to renew their request before the sentencing court.

S280234 A162465 First Appellate District, Div. 1

**CRESCENT TRUST v. CITY
OF OAKLAND**

Motion for judicial notice granted

The City of Oakland’s unopposed requests for judicial notice, filed on October 11, 2023, and February 20, 2024, are granted.

S287366 D084932 Fourth Appellate District, Div. 1

**ABERA (AMAN) v. S.C.
(THE REGENTS OF THE
UNIVERSITY OF
CALIFORNIA)**

Order filed

Petitioner’s motion filed October 28, 2024, to amend the petition for review is hereby denied.

S287391

**MURRAY (MAURICE
BURTON) ON H.C.**

Order filed

The order filed on October 29, 2024, extending the time to file the informal response is hereby amended to reflect the above title.