

**SUPREME COURT MINUTES
TUESDAY, NOVEMBER 21, 2023
SAN FRANCISCO, CALIFORNIA**

S281950 B326653 Second Appellate District, Div. 6 **PEOPLE v. S.C. (MITCHELL)**
Petition for review granted; issues limited

The petition for review is granted. The issues to be briefed and argued are limited to the following: (1) Does Penal Code section 1238 authorize an appeal by the People from a superior court's post-preliminary hearing, prejudgment order reducing a felony "wobbler" offense to a misdemeanor? (2) If not, may the People obtain review of the order by petition for extraordinary writ?

The stay ordered by the Court of Appeal remains in effect. Pending review, the opinion of the Court of Appeal, which is currently published at 94 Cal.App.5th 595, 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.

S281588 B319121 Second Appellate District, Div. 1 **WEST ADAMS HERITAGE
ASSOCIATION v. CITY OF
LOS ANGELES (CHAMPION)**

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 *Make UC A Good Neighbor v. Regents of the University of California (Resources for Community Development)*, S279242 (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.

The requests for an order directing publication of the opinion are denied.

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

S282276 C096067 Third Appellate District

**PEOPLE v. DONOHOE
(SEAN)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending finality of *People v. Salazar* (Nov. 20, 2023, S275788) __ 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: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S282331 E080501 Fourth Appellate District, Div. 2 **IN RE G.H.**

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 Ja.O.*, S280572 (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.

S282341 F084093 Fifth Appellate District

**PEOPLE v. ESPINOZA
(JOSEPH ANTONIO)**

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. Hardin*, S277487 (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.

S281517 D077931/D078511 Fourth Appellate District, Div. 1 **ROJAS (DALIA) v. HSBC
CARD SERVICES INC.**

Petition for review & depublication request(s) denied

S281825 G061689 Fourth Appellate District, Div. 3

**PEOPLE v. ROBINSON
(MICHAEL LARON)**

Petition for review denied

S281846 D080199 Fourth Appellate District, Div. 1

**ALLIANCE SAN DIEGO v.
CITY OF SAN DIEGO**

Petitions for review & depublication request(s) denied

S281849

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

Petition for review denied

S281893 H050153 Sixth Appellate District

**PEOPLE v. AGUILAR-
JIMENEZ (ESTEBAN
MARTIN)**

Petition for review denied

S281931 C095414 Third Appellate District

**PEOPLE v. PEREZ-ROBLES
(FERMIN)**

Petition for review denied

S281971 B315743/B318304 Second Appellate District, Div. 6

**BROWNE (AVA) v.
FOXFIELD RIDING SCHOOL**

Petition for review denied

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

S281973 B315264/B315268 Second Appellate District, Div. 3

**ALLSTATE INSURANCE
COMPANY v. DISCOVERY
RADIOLOGY PHYSICIANS,
P.C.**

The application to appear as counsel pro hac vice is granted. (Cal. Rules of Court, rule 9.40(a).)
The petition for review is denied.

S282051 E081751 Fourth Appellate District, Div. 2

**CRUZ (LEYLANITH) v. S.C.
(PEOPLE)**

Petition for review denied

S282069 D080735 Fourth Appellate District, Div. 1

**PEOPLE v. HEIM (JACOB
DANIEL)**

Petition for review denied

S282114 A166110 First Appellate District, Div. 2
Petition for review denied

IN RE J.C.

S282118 G061415 Fourth Appellate District, Div. 3

Petition for review denied

**MALDONADO, JR., (JOHN) v.
ALUMINUM PRECISION
PRODUCTS, INC.**

S282133 F084764 Fifth Appellate District

Petition for review denied

**PEOPLE v. ECHARTEA
(ABEL ISAIAS)**

S282137 B320850 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. CALDWELL
(CORNELIUS)**

S282165 B318649 Second Appellate District, Div. 8

Petition for review denied

**JUDGE (MICHAEL) v.
COUNTY OF LOS ANGELES**

S282169 D080220 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. FRAZIER
(MARTEL MIGUEL)**

S282191 C099116 Third Appellate District

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

**PEOPLE v. SAMM
(STERLING)**

S282211 B320666 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. YANCY
(CHRISTOPHER BERNARD)**

S282218 H050620 Sixth Appellate District

Petition for review denied

**PEOPLE v. ALVAREZ
(BRYAN ISAAC)**

S282237 H048959 Sixth Appellate District

Petitions for review denied

**PEOPLE v. TAYLOR
(DONTE)**

S282238 F084664 Fifth Appellate District

Petition for review denied

**PEOPLE v. ZAVALA (EDGAR
IVAN)**

S282245 A165342 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GUEVARA
(MICHAEL JUNIOR)**

S282246 B328362 Second Appellate District, Div. 8

Petition for review denied

**MITCHELL, JR., (HENRY
MOSES) ON H.C.**

S282250 B317485 Second Appellate District, Div. 3

Petition for review denied

**COASTAL PROTECTION
ALLIANCE, INC. v. AIRBNB,
INC.**

S282251 B332126 Second Appellate District, Div. 7

Petition for review denied

**GREENE (RICHARD
HARRIS) ON H.C.**

S282255 B321653 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. MANUEL (LARRY
BERT)**

S282257 B319874 Second Appellate District, Div. 5

Petition for review denied

PEOPLE v. PEREZ (JULIO)

S282262 C096613 Third Appellate District

Petition for review denied

**PEOPLE v. SILLIMAN, JR.,
(WILLIAM VINCENT)**

S282263 H049250 Sixth Appellate District
Petition for review denied

IN RE E.B.

S282265 H051242 Sixth Appellate District
Petition for review denied

**TYLER II (ROBERT
STUART) ON H.C.**

S282266 A164358 First Appellate District, Div. 4
Petition for review denied

**PEOPLE v. MENDOZA
(SERINA DIANA)**

S282267 C096635 Third Appellate District
Petition for review denied

**PEOPLE v. CARLTON
(RALPH WILLIAM)**

S282272 C099542 Third Appellate District
Petition for review denied

**NGUYEN (DAI) v. S.C.
(PEOPLE)**

S282278 F084985 Fifth Appellate District
Petition for review denied

PEOPLE v. SUY (SOKHAN)

S282281 F084953 Fifth Appellate District
Petition for review denied

PEOPLE v. FLORES (JOHN)

S282282 B316642 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. MENDOZA (JOHN
GILBERT)**

S282313 G061658 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. ALHANATI
(CRAIG KEVIN)**

S282316 H048636 Sixth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ
(DANIEL ROBLES)**

S282325 B332057 Second Appellate District, Div. 2

Petition for review denied

**ESPINOZA (CHARLIE) v. S.C.
(PEOPLE)**

S282327 B332052 Second Appellate District, Div. 7

Petition for review denied

**FINK (DAVID) v. S.C.
(PEOPLE)**

S282334 F085346 Fifth Appellate District

Petition for review denied

**PEOPLE v. BRIGGS
(JOHNNY LEE)**

S282335 B324292 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. TISCARENO
(RAUL)**

S282337 F082140 Fifth Appellate District

Petition for review denied

PEOPLE v. SUAZO (JESUS)

S282340 G061488 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ORTEGA
(KANDICE NOEL)**

S282342 C099499 Third Appellate District

Petition for review denied

**CHAPMAN (WILLIAM) v.
S.C. (PEOPLE)**

S282344

Petition for writ of certiorari denied

**HARRIS (ANDRE PIERRE) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT**

S282352 G061989 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. NGUYEN (HUY QUOC)

S282356 A166077 First Appellate District, Div. 5

Petition for review denied

PEOPLE v. RAY, JR., (EDWARD VINCENT)

S282357 E081990 Fourth Appellate District, Div. 2

Petition for review denied

BENNETT (RONALD DALE) ON H.C.

S282358 H050281 Sixth Appellate District

Petition for review denied

PEOPLE v. HERNANDEZ-DELGADO (ALEJANDRO)

S282380

Petition for writ of certiorari & application for stay denied

JACOBS (JAMES WILLIAM) v. COURT OF APPEAL, THIRD APPELLATE DISTRICT (PEOPLE)

S282386

Petition for writ of mandate/prohibition denied

JACOBS (JAMES) v. COURT OF APPEAL, THIRD APPELLATE DISTRICT (PEOPLE)

S282587 B332478 Second Appellate District, Div. 7

Petition for review & application for stay denied

EAGLE (ADAM) v. S.C. (NAVARE)

S282589

Petition for writ of mandate/prohibition denied

JACOBS (JAMES) v. COURT OF APPEAL, THIRD APPELLATE DISTRICT (PEOPLE)

S282676 B333083 Second Appellate District, Div. 2 **DUA (SOHAN) v. S.C.**
(ANDREA W.)

Petition for review & application for stay denied

S282734 **PRINCE (ASHLEY A.) v. S.C.**
(CALITEX, LLC)

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

S281276 **DRAWN IV (ROBERT) ON**
H.C.

Petition for writ of habeas corpus denied

S281292 **GREEN (RODNEY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S281544 **GHOLAR, SR., (JOHN RAY)**
ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S281654 **MELGER (THOMAS**
JOSEPH) 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].)

S281706 **GHOLAR, SR., (JOHN RAY)**
ON H.C.

Petition for writ of habeas corpus denied

S282024 **MELGER (THOMAS**
JOSEPH) 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]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S282113

Petition for writ of habeas corpus denied

GREEN (RODNEY) ON H.C.

S281900

A168460 First Appellate District, Div. 3

**WANG (FRANCIS) v.
PELETTA (PETER)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 10, 2024.

S281992 D080208/D081204 Fourth Appellate District, Div. 1

**LNSU #1, LLC v. ALTA DEL
MAR COASTAL
COLLECTION COMMUNITY
ASSOCIATION**

The time for granting or denying review in the above-entitled matter is hereby extended to January 2, 2024.

S282049

B324718 Second Appellate District, Div. 8

IN RE JUSTICE H.

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2023.

S282078

B318956 Second Appellate District, Div. 4

**INZUNZA (JOSE R.) v.
NARANJO (MARIA)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2023.

S282079

G063013 Fourth Appellate District, Div. 3

**CALHOON (ERNEST) v. S.C.
(STEIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 2, 2024.

S282082 G061238 Fourth Appellate District, Div. 3

**ILOH (CONSTANCE) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA (THE CENTER
FOR SCIENTIFIC
INTEGRITY)**

The time for granting or denying review in the above-entitled matter is hereby extended to December 29, 2023.

S282108 F085416 Fifth Appellate District

**ROSSI (GLORIA
ELIZABETH) v. SEQUOIA
UNION ELEMENTARY
SCHOOL**

The time for granting or denying review in the above-entitled matter is hereby extended to January 2, 2024.

S282111 F085385 Fifth Appellate District

**MORAN (AUGUST) v.
TULARE COUNTY OFFICE
OF EDUCATION**

The time for granting or denying review in the above-entitled matter is hereby extended to January 2, 2024.

S282112 F085428 Fifth Appellate District

**DENNIS (GUIDA) v. TULARE
CITY SCHOOL DISTRICT**

The time for granting or denying review in the above-entitled matter is hereby extended to January 2, 2024.

S282131 B320588 Second Appellate District, Div. 1

**KRUG (PATRICK) v. BOARD
OF TRUSTEES OF THE
CALIFORNIA STATE
UNIVERSITY**

The time for granting or denying review in the above-entitled matter is hereby extended to January 4, 2024.

S282136 B328408 Second Appellate District, Div. 2

**LOCKTON COMPANIES,
LLC v. S.C. (GIBLIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 3, 2024.

S282156 H049324/H049433 Sixth Appellate District

**GRAY (GINA M.) v. LA
SALLE BANK, N.A.**

The time for granting or denying review in the above-entitled matter is hereby extended to January 5, 2024.

S282157 D079890 Fourth Appellate District, Div. 1

**YANG (JACK &
JACQUELINE), MARRIAGE
OF**

The time for granting or denying review in the above-entitled matter is hereby extended to January 4, 2024.

S282158 D079955 Fourth Appellate District, Div. 1

**EMERT (ANDREA L. &
ROBERT), MARRIAGE OF**

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

S282176 G062989 Fourth Appellate District, Div. 3

**BOARD OF TRUSTEES OF
THE KENTUCKY
RETIREMENT SYSTEMS v.
S.C. (PAAMCO PRISMA,
LLC)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 5, 2024.

S282177 C089972 Third Appellate District

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

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

S282182 B311780 Second Appellate District, Div. 3

**ADME FOUNDATION TRUST
v. DEUTSCHE BANK
NATIONAL TRUST
COMPANY AMERICAS**

The time for granting or denying review in the above-entitled matter is hereby extended to January 5, 2024.

S282210 D081918 Fourth Appellate District, Div. 1 **SWENSON (MARY) v. S.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to January 10, 2024.

S282231 D078459 Fourth Appellate District, Div. 1 **KIMBRELL (HANNA & JAMES), MARRIAGE OF**
The time for granting or denying review in the above-entitled matter is hereby extended to January 11, 2024.

S282235 G063043 Fourth Appellate District, Div. 3 **BROWN (ZAVIER) v. S.C. (PEOPLE)**
The time for granting or denying review in the above-entitled matter is hereby extended to January 11, 2024.

S277518 H049033 Sixth Appellate District **CAMP (DELMER) v. HOME DEPOT U.S.A., INC.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the consolidated response to amicus curiae briefs is extended to December 14, 2023.

S282544 **AYALA (DANIEL) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two.

S282152 **CALIFORNIA RULES OF COURT 9.11 & 9.90**
ADMIN. ORDER 2023-11-21-01
Rule adopted as recommended

On October 6, 2023, the court received a request from the State Bar of California to approve amendments to California Rules of Court, rules 9.11 and 9.90. The request is granted. Revisions to California Rules of Court, rules 9.11 and 9.90, are approved as modified. The approved rules are set out in the Attachment and are effective as of December 1, 2023. It is so ordered.

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

S282217

Petition denied

(accusation)

ACCUSATION OF LARNER**S282769**

Voluntary resignation accepted

**CARLSON ON
RESIGNATION**

The court orders that the voluntary resignation of BRENT ALBERT CARLSON, State Bar Number 121206, as an attorney of the State Bar of California is accepted.

S282770

Voluntary resignation accepted

DEKKER ON RESIGNATION

The court orders that the voluntary resignation of LAURA ANN DEKKER, State Bar Number 148062, as an attorney of the State Bar of California is accepted.

S282771

Voluntary resignation accepted

EVORA ON RESIGNATION

The court orders that the voluntary resignation of KAMALA JOY EVORA, State Bar Number 165372, as an attorney of the State Bar of California is accepted.

S282772

Voluntary resignation accepted

GILBERT ON RESIGNATION

The court orders that the voluntary resignation of MICHAEL HARRIS GILBERT, State Bar Number 122062, as an attorney of the State Bar of California is accepted.

S282773

Voluntary resignation accepted

HAHN ON RESIGNATION

The court orders that the voluntary resignation of ERICA LIS HAHN, State Bar Number 57201, as an attorney of the State Bar of California is accepted.

S282774

**JENNINGS ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GUY PATRICK JENNINGS, State Bar Number 125278, as an attorney of the State Bar of California is accepted.

S282775

MARTIN ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of JONATHAN DAVID MARTIN, State Bar Number 250238, as an attorney of the State Bar of California is accepted.

S282776

**WOLKEN, JR., ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GEORGE WOLKEN, JR., State Bar Number 207074, as an attorney of the State Bar of California is accepted.