

**SUPREME COURT MINUTES
WEDNESDAY, DECEMBER 13, 2023
SAN FRANCISCO, CALIFORNIA**

S282013 E079076 Fourth Appellate District, Div. 2 **CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION v.
WORKERS'
COMPENSATION APPEALS
BOARD & AYALA
(MICHAEL)**

Petition for review granted

The petition for review is granted.

Pending review, the opinion of the Court of Appeal, which is currently published at 94 Cal.App.5th 464, 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.

S282521 D081670 Fourth Appellate District, Div. 1 **EPICENTRx, INC. v. S.C.
(EPIRx, L.P.)**

Petition for review granted

The petition for review is granted. Pending review, the opinion of the Court of Appeal, which is currently published at 95 Cal.App.5th 890, 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 application for stay is denied. (Code Civ. Proc., § 418.10, subd. (c).)

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

S089619**PEOPLE v. ALVAREZ
(FRANCISCO JAY)**

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 January 29, 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.

S092615**PEOPLE v. DEEN (OMAR
RICHARD)**

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 January 29, 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.

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

S105403**PEOPLE v. CHHOUN (RUN
PETER) & PAN (SAMRETH
SAM)**

Supplemental briefing ordered

If appellant Run Peter Chhoun contends any changes in the law (including any ameliorative statute) since the filing of his reply brief are relevant to this appeal, appellant Chhoun shall serve and file a supplemental opening brief not to exceed 50 pages on or before January 29, 2024, addressing those changes and their relevance to this case.

If appellant Samreth Sam Pan contends any changes in the law (including any ameliorative statute) since the filing of his second supplemental reply brief are relevant to this appeal, appellant Pan shall serve and file a supplemental opening brief not to exceed 50 pages on or before January 29, 2024, addressing those changes and their relevance to this case.

Within 30 days after a supplemental opening brief has been filed pursuant to this order, the People may serve and file any supplemental answering brief, not to exceed 50 pages in length.

Appellants Chhoun and Pan may each 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.

S120382

**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

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 January 29, 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.

S124131

**PEOPLE v. BARRETT
(JOSEPH ANTHONY)**

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 January 29, 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.

S136171

**PEOPLE v. WESSON
(MARCUS DELON)**

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 January 29, 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.

S149039**PEOPLE v. AGUAYO
(JOSEPH MORENO)**

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 January 29, 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.

S150524**PEOPLE v. ARGUETA
(CARLOS MARVIN)**

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 January 16, 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.

S154053**PEOPLE v. RHOADES
(ROBERT BOYD)**

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 January 16, 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.

S166168**PEOPLE v. LAMB (MICHAEL
ALLAN)**

Supplemental briefing ordered

The court is in receipt of appellant's letter dated December 5, 2023, stating an intent to file supplemental briefing before oral argument. 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 January 31, 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. The 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.

S169750**PEOPLE v. MCGHEE
(TIMOTHY J.)**

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 January 16, 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.

S174886**PEOPLE v. MADISON
(RICKY RENE)**

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 January 29, 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.

S179454**PEOPLE v. JASSO
(CHRISTOPHER GUY)**

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 January 29, 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.

S282131 B320588 Second Appellate District, Div. 1**KRUG (PATRICK) v. BOARD
OF TRUSTEES OF THE
CALIFORNIA STATE
UNIVERSITY**

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 related issues in *Stone v. Alameda Health Care* (S279137) (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.

S282136 B328408 Second Appellate District, Div. 2**LOCKTON COMPANIES,
LLC v. S.C. (GIBLIN)**

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 *EpicentRx v. S.C. (EpiRx)*, S282521 (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.

S282261 B320205 Second Appellate District, Div. 5**PEOPLE v. EVANS
(MARQUES TERREL)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lynch*, S274942, and 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.

S282271 B325218 Second Appellate District, Div. 6 **PEOPLE v. ALVEZ (JOHN CHARLES)**

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.

S282399 B319845 Second Appellate District, Div. 5 **PEOPLE v. YI (JAE HEE)**

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.

S282462 B308495 Second Appellate District, Div. 4 **PEOPLE v. MOODY (TYRONE EUGENE)**

Petition for review granted; briefing deferred

Defendant Moody's and Defendant Perez's petitions for review are 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.

Defendant Vargas's petition for review is denied.

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

S282495 E080948 Fourth Appellate District, Div. 2 **PEOPLE v. SALGADO (ELIAS PERAZA)**

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.

S282507 C096805 Third Appellate District **PEOPLE v. RHONE (TARUS TASHUME)**

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.

S282533 B323865 Second Appellate District, Div. 2 **ENDEAVOR OPERATING COMPANY, LLC v. HDI GLOBAL INSURANCE COMPANY**

Petition for review granted; briefing deferred

The requests to appear as counsel pro hac vice are granted.

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Another Planet Entertainment v. Vigilant Insurance Company*, S277893 (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.

S282535 H047865 Sixth Appellate District **PEOPLE v. SAMAYOA (JOSE LUIS)**

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.

S282574 F084669 Fifth Appellate District
Petition for review granted; briefing deferred

PEOPLE v. CERPA (JAIME)

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.

S282601 E076749 Fourth Appellate District, Div. 2

PEOPLE v. GREER (RONALD DEAN)

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.

S280958

HURTADO (RICHARD ANTHONY) ON H.C.

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause, returnable before the Tulare County Superior Court, why relief should not be granted on the ground petitioner should be afforded the remedy of constructive filing of a notice of appeal. (*In re Benoit* (1973) 10 Cal.3d 72; See pages 15-17 of the Attorney General's informal response filed in this court on October 5, 2023.) The return must be served and filed on or before January 12, 2024.

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

S282549

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

S282736

**ANDERSON (ASHLIE R.) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION TWO
(AUTOMOBILE CLUB OF
SOUTHERN CALIFORNIA
“AAA” LLC)**

Vexatious litigant application denied

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

S282897

**PERRY (MICHAEL MOSHE)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT (NASCH
PROPERTIES LLC)**

Vexatious litigant application denied

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

S282903

**PERRY (MICHAEL MOSHE)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT (NASCH
PROPERTIES LLC)**

Vexatious litigant application denied

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

S282908

**PERRY (MICHAEL MOSHE)
v. COURT OF APPEAL,
SECOND APPELLATE
DISTRICT (NASCH
PROPERTIES LLC)**

Vexatious litigant application denied

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

S281592

**BOXIE (JARROD) v. COURT
OF APPEAL, SECOND
APPELLATE DISTRICT,
DIVISION EIGHT (PEOPLE)**

Petition for writ of mandate/prohibition denied

S281793 B318471 Second Appellate District, Div. 7

**VERCELES (JUNNIE) v. LOS
ANGELES UNIFIED SCHOOL
DISTRICT**

Petition for review & publication request(s) denied

S281900 A168460 First Appellate District, Div. 3

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

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

S281980 E081249 Fourth Appellate District, Div. 2

**WARD (MICHAEL M.) v.
WARD (NATALIE)**

Petition for review denied

S281992 D080208/D081204 Fourth Appellate District, Div. 1

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

Petition for review & depublication request(s) denied

S282043 E078037 Fourth Appellate District, Div. 2

**ALTIZER (TANNER) v.
COACHELLA VALLEY
CONSERVATION
COMMISSION**

Petition for review denied

S282049 B324718 Second Appellate District, Div. 8

IN RE JUSTICE H.

Petition for review denied

S282061 C096036 Third Appellate District

**VALTER (JOHN) v.
MAMMOTH MOUNTAIN SKI
AREA, LLC**

Petition for review & publication request(s) denied

S282078 B318956 Second Appellate District, Div. 4

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

Petition for review denied

S282079 G063013 Fourth Appellate District, Div. 3

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

The petition for review is denied. The petition makes accusations against the trial court that are both baseless and disrespectful, such as asserting the trial judge “is psychotic so as not be able to even understand simple logic.” The clerk of this court is directed to send to the State Bar of California copies of (1) this order, (2) the petition for review filed before this Court on October 3, 2023, (3) the petition for writ of mandate filed before the Court of Appeal on August 28, 2023, (4) the appendix in support of the petition for writ of mandate filed before the Court of Appeal on August 28, 2023, and (5) the order of the Court of Appeal denying the petition for writ of mandate on September 21, 2023.

S282082 G061238 Fourth Appellate District, Div. 3

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

Petition for review denied

S282086 C097124 Third Appellate District

**PEOPLE v. DARROUGH
(MICHAEL JOSEPH)**

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.

S282108 F085416 Fifth Appellate District

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

Petition for review denied

S282111 F085385 Fifth Appellate District

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

Petition for review denied

S282112 F085428 Fifth Appellate District

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

Petition for review denied

S282126 B317221/B318393 Second Appellate District, Div. 8

**WOODS (NIRA) v.
DEPARTMENT OF HOUSING
& COMMUNITY
DEVELOPMENT**

Petition for review denied

S282148 C095505 Third Appellate District

**PEOPLE v. ORTIZ (ANALIZ
MARIE)**

Petition for review denied

S282156 H049324/H049433 Sixth Appellate District

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

Petition for review denied

S282157 D079890 Fourth Appellate District, Div. 1

Petition for review denied

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

S282158 D079955 Fourth Appellate District, Div. 1

Petition for review denied

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

S282176 G062989 Fourth Appellate District, Div. 3

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

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

S282177 C089972 Third Appellate District

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

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

S282182 B311780 Second Appellate District, Div. 3

Petition for review denied

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

S282183 E079351 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUTIERREZ
(MARCO RODRIGUEZ)**

S282209 D081426 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. PALMER
(FREDERICK JOSEPH)**

S282210 D081918 Fourth Appellate District, Div. 1 **SWENSON (MARY) v. S.C.**
Petition for review denied

S282232 C099536 Third Appellate District **WADE (CHANCELLOR) ON
H.C.**

The petition for review is denied without prejudice to petitioner filing a motion in the Sacramento County Superior Court requesting disclosure of evidence pursuant to Penal Code section 745, subdivision (d).

S282235 G063043 Fourth Appellate District, Div. 3 **BROWN (ZAVIER) v. S.C.
(PEOPLE)**

Petition for review denied

S282239 H050142 Sixth Appellate District **PEOPLE v. BODELY
(DARRELL ANTHONY)**

Petition for review denied

S282259 D082617 Fourth Appellate District, Div. 1 **SWENSON (MARY) v.
SWENSON (KENDALL W.)**

Petition for review denied

S282268 A162967/A162978/A165182
First Appellate District, Div. 1 **WHITE (MARIBETH
MERCADO) v. CALIFORNIA
DEPARTMENT OF
FORESTRY**

Petition for review & publication request(s) denied

S282349 G061327 Fourth Appellate District, Div. 3 **PEOPLE v. BELL (DALANTE
JEROME)**

Petition for review denied

S282354 B322142 Second Appellate District, Div. 5 **GAN (LIN) & SUN (FUXIN),
MARRIAGE OF**

Petition for review denied

S282361 D082855 Fourth Appellate District, Div. 1
Petition for review denied

ACEDO (DANIEL) ON H.C.

S282363 C095837 Third Appellate District

Petition for review denied

**PEOPLE v.
JACOBO-CONTRERAS
(JOSE MERCED)**

S282370 G062758 Fourth Appellate District, Div. 3

Petition for review denied

**MARYLAND (PRINCE
EDWARD) v. S.C. (PEOPLE)**

S282382 A164739 First Appellate District, Div. 1

Petition for review & depublication request(s) denied

**PEOPLE v. MANZOOR
(JUNAID)**

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

(See Concurring Statement by Groban, J.)

Concurring Statement by Justice Groban

I agree with my colleagues that this is not an appropriate case in which to grant review, but I write separately to invite the Legislature to consider whether it is appropriate to enact a statutory solution to the issue at hand. In April 2006, defendant Junaid Manzoor pleaded guilty to a felony attempt to distribute harmful matter to a minor in violation of Penal Code (1) sections 664 and 288.2. The trial court suspended imposition of his sentence and placed him on probation for three years with a 90-day jail term. As a result of his felony conviction, defendant was required to register as a sex offender for life pursuant to former section 290, subdivision (a)(2)(A). (See *People v. Manzoor* (2023) 95 Cal.App.5th 548, 551 (*Manzoor*), citing former § 290, subd. (a)(2)(A), as amended by Stats. 2005, ch. 722, § 3.5, p. 5888.)

(1) All undesignated section references are to the Penal Code.

In February 2020, nearly 14 years after his conviction and well after he completed probation, defendant successfully petitioned the trial court to exercise its discretion to reduce his conviction to a misdemeanor under section 17, subdivision (b) and to dismiss his case pursuant to section 1203.4. (See *Manzoor, supra*, 95 Cal.App.5th at p. 552.)

Thereafter, effective January 1, 2021, the Sex Offender Registration Act (§ 290 et seq.) was amended by the Legislature to provide for a tiered system of registration periods that depend on the offense for which the defendant was convicted. (See Stats. 2017, ch. 541, § 2.5; Stats. 2018, ch. 423, § 52; Stats. 2020, ch. 79, § 2.) Under the amended version of section 290, a defendant who is convicted of a “felony violation of Section 288.2” is considered a “tier three offender” and still subject to lifetime registration. (§ 290, subs. (c)(1), (d)(3); see *id.*, (d)(3)(C)(x).) “[T]he current version of the statute does not expressly mention misdemeanor violations of section 288.2.” (*Manzoor, supra*, 95 Cal.App.5th at p. 554.) However, under section 290.006, “[a]ny person . . . who is not required to register pursuant to Section 290” (*id.*, subd. (a)) can only be required to register for life if the court finds, upon consideration of certain statutorily enumerated factors, including his or her behavior before and after conviction and his or her present risk of reoffense, that lifetime registration is appropriate (*id.*, subd. (c)).

In other words, if defendant were convicted today of a misdemeanor violation of section 288.2 (as opposed to having his felony conviction reduced to a misdemeanor), he would not be subject to a mandatory lifetime registration requirement. Instead, in such a situation, lifetime registration is only permissible if the court considers specific factors, including “[t]he person’s current risk of sexual or violent reoffense” (§ 290.006, subd. (c)(5)), and states its reasoning for requiring lifetime registration on the record. (See generally § 290.006.) Where a defendant, like the defendant here, has successfully completed a term of probation and a trial court has determined (over 10 years later) that his or her felony conviction under section 288.2 should be reduced to a misdemeanor and the case dismissed, that same court would seem well positioned to assess whether ongoing registration is warranted. Indeed, after exercising its discretion to reduce defendant’s sentence to a misdemeanor, it seems unlikely that the court would also conclude that lifetime registration is required. (Cf. *People v. Superior Court (Alvarez)* (1997) 14 Cal.4th 968, 980-982 [in exercising its “broad authority” to reduce a felony to a misdemeanor under § 17, subd. (b), the court must engage in “an intensely fact-bound inquiry taking all relevant factors, including the defendant’s criminal past and public safety, into due consideration”].)

The problem for defendant is that he was not initially convicted of a misdemeanor violation of section 288.2. He was convicted of a felony violation of section 288.2 that was only subsequently reduced to a misdemeanor. In this unique procedural posture, the Court of Appeal concluded that section 17, subdivision (e) prohibits a trial court from relieving a section 288.2 defendant of his or her lifetime registration requirement. (*Manzoor, supra*, 95 Cal.App.5th at pp. 556-558; see § 17, subd. (e); accord, *People v. Kennedy* (2011) 194 Cal.App.4th 1484, 1492.) However, just as the *Kennedy* court encouraged the defendant therein to “seek redress by asking the Legislature to amend the statute” (*Kennedy*, at p. 1492), I similarly encourage the Legislature to consider whether an individual in defendant’s position should at least have an opportunity to seek relief from lifetime registration as a sex offender. To be clear, such a statutory change would not mean that defendant would automatically be free from lifetime registration, but only that a court would make a case-specific determination that lifetime registration is warranted, just as a court would for a section 288.2 misdemeanant sentenced today. Since the Legislature has determined that a section 288.2 misdemeanant cannot be required to register for life unless certain enumerated factors are considered, I do not see why the unique procedural posture of defendant’s case should

prevent him from seeking the very same consideration. (See *Johnson v. Department of Justice* (2015) 60 Cal.4th 871, 893 (dis. opn. of Werdegar, J.) [“Registration under section 290 carries with it not only the onerous . . . registration requirements themselves, but also significant stigma and severe restrictions on residence choice”]; *People v. Zaidi* (2007) 147 Cal.App.4th 1470, 1483 [“[W]hile sex offender registration is not considered a form of punishment under the state or federal Constitution, it nevertheless imposes a ‘ “substantial” ’ and ‘ “onerous” ’ burden on the registrant”].)

GROBAN, J.

S282385 B332196 Second Appellate District, Div. 3
Petition for review denied

N. (ERICK) ON H.C.

S282391 C096362 Third Appellate District
Petition for review denied

**PEOPLE v. ROBERSON
(CLIFFORD DEVON)**

S282395 B331929 Second Appellate District, Div. 2
Petition for review denied

**DIGITALBRIDGE GROUP,
INC. v. S.C. (XL SPECIALTY
INSURANCE COMPANY)**

S282398 A163717 First Appellate District, Div. 1
Petition for review denied

**LUSK (FRAN ANN &
WILLIAM), MARRIAGE OF**

S282403 D082574 Fourth Appellate District, Div. 1
Petition for review denied

**MARDIROSSIAN &
ASSOCIATES v. PRUCHNIK
(ROBERT)**

S282436 C096228 Third Appellate District
Petition for review denied

**PEOPLE v. URIQUIDEZ
(ALEJANDRO LEON)**

S282456	B332184 Second Appellate District, Div. 5	NELSON (MICHAEL) v. S.C. (BUSSELL)
Petition for review & application for stay denied		
S282458	D080313 Fourth Appellate District, Div. 1	PEOPLE v. MELVIN (ANTONYIO SHAWN)
Petition for review denied		
S282459	H049905 Sixth Appellate District	PEOPLE v. POOL (CARLOS ALFREDO)
Petition for review denied		
S282460	F084894 Fifth Appellate District	PEOPLE v. MENDEZ (ALAN GUSTAVO)
Petition for review denied		
S282463	A163805 First Appellate District, Div. 2	PEOPLE v. AGUILERA (FERNANDO LEON)
Petition for review denied		
S282465	B321427 Second Appellate District, Div. 5	PEOPLE v. KOURCHENKO (ROBERTO E.)
Petition for review denied		
S282466	E078975 Fourth Appellate District, Div. 2	PEOPLE v. SCOTT (GERALD GLENN)
Petition for review denied		
S282469	D080784 Fourth Appellate District, Div. 1	PEOPLE v. BRANCH (DAQUAN RASHAD)
Petition for review denied		
S282472	F083847 Fifth Appellate District	PEOPLE v. STEWART, JR., (CHARLES RANANDO)
Petition for review denied		

S282478 F084475 Fifth Appellate District

Petition for review denied

**PEOPLE v. CANDELARIA
(BARCIMEO MERINO)**

S282479 A165093 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. DAVENPORT
(WILLIAM)**

S282480 D082392 Fourth Appellate District, Div. 1

Petition for review denied

**RODRIGUEZ (JOSE M.) v.
S.C. (PEOPLE)**

S282483 C095180 Third Appellate District

Petition for review denied

**PEOPLE v. WILLIAMS III
(JOHN)**

S282484 E080373 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. LAWSON
(ROBERT DALE)**

S282485 B321523 Second Appellate District, Div. 6

Petition for review denied

**TERRY (BOAKE & KELLIE),
MARRIAGE OF**

S282486 C097494 Third Appellate District

Petition for review denied

**PEOPLE v. WILDE (KYLE
MATTHEW)**

S282487 D079900 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SCHINDLER
(JOHN CONRAD)**

S282490 B332264 Second Appellate District, Div. 6

Petition for review denied

**ROEHLER II (FREDERICK
G.) v. S.C. (PEOPLE)**

S282491 F084893 Fifth Appellate District

PEOPLE v. ORTIZ (PEDRO GARCIA)

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.

S282496 H050104 Sixth Appellate District

PEOPLE v. ATAYDE (LUIS ANTONIO)

Petition for review denied

S282498 B331850 Second Appellate District, Div. 5

CALHOON (ERNEST) v. S.C. (CHA)

Petition for review denied

S282499 F085522 Fifth Appellate District

GARCIA (JAMES) v. ROBBEN (TODD)

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

S282500 F085523 Fifth Appellate District

FRYER (MATT) v. ROBBEN (TODD)

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

S282504 E079698 Fourth Appellate District, Div. 2

PEOPLE v. ARMSTRONG (CHEYENNE)

Petition for review denied

S282505 B331592 Second Appellate District, Div. 2

MEDINA (EDUARDO ANTONIO FUENTES) v. S.C. (AMAZON.COM SERVICES LLC)

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

S282506 D080245 Fourth Appellate District, Div. 1

PEOPLE v. BLAND (DOMINIC)

Petition for review denied

S282511	B320713 Second Appellate District, Div. 8	PEOPLE v. LOPEZ (EDGAR A.)
Petition for review denied		
S282513	H048748 Sixth Appellate District	PEOPLE v. MARTINEZ (HERIBERTO)
Petition for review denied		
S282517	B319589 Second Appellate District, Div. 1	PEOPLE v. McCALIPP (LONTTAEVEON JAYVON)
Petition for review denied		
S282518	D080386 Fourth Appellate District, Div. 1	PEOPLE v. ROSALES (NICOLAS BRITO)
Petition for review denied		
S282524	B318954 Second Appellate District, Div. 5	SANTA PAULA ANIMAL RESCUE CENTER, INC. v. COUNTY OF LOS ANGELES
Petition for review & depublication request(s) denied		
S282527	F084341 Fifth Appellate District	PEOPLE v. PATEL (DERICK)
Petition for review denied		
S282528	F082941 Fifth Appellate District	PEOPLE v. AMOS (ROBERT RAY)
Petition for review denied		
S282534	B309401 Second Appellate District, Div. 1	PEOPLE v. SEDILLO (LISA)
Petition for review denied		
S282550	F084646 Fifth Appellate District	PEOPLE v. RUSSELL (SIDNEY RAYBURN)
Petition for review denied		

S282551	B315759 Second Appellate District, Div. 4	PEOPLE v. MISIRLI (JONATHAN PAUL)
Petition for review denied		
S282553	B301477 Second Appellate District, Div. 4	PEOPLE v. RUIZ (ANTHONY)
Petition for review denied		
S282558	G063207 Fourth Appellate District, Div. 3	PALMA (WILLIAM HENRY) v. S.C. (PEOPLE)
Petition for review denied		
S282561	B324085 Second Appellate District, Div. 4	PEOPLE v. ACOSTA (EMIR RIGOBERTO)
Petition for review denied		
S282565	B314760 Second Appellate District, Div. 8	PEOPLE v. CEJA (EDWARD)
Petition for review denied		
S282571	B320844 Second Appellate District, Div. 2	THEIS (JILL A.) v. THEIS (MARK E.)
Petition for review denied		
S282572	C094996 Third Appellate District	PEOPLE v. LANE (PATRICIA)
Petition for review denied		
S282573	E079617 Fourth Appellate District, Div. 2	PEOPLE v. BECERRA (FERNANDO)
Petition for review denied		
S282578	B320930 Second Appellate District, Div. 4	PEOPLE v. STOCKER (ERIC)
Petition for review denied		

S282579 D080703 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied

**PEOPLE v. ESPARZA
(CHRISTOPHER)**

S282581 G061193 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SOTO
(ALEXANDER)**

S282582 B332212 Second Appellate District, Div. 7

Petition for review denied

**ANDRADE (JUAN) v. S.C.
(PEOPLE)**

S282584 C097571 Third Appellate District

Petition for review denied

**PEOPLE v. RUSSELL
(TITENESHA LANAE)**

S282588 B324975 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. MAGANA (JESUS
ANTHONY)**

S282591 A166317 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ALTES (ROBERT
LOUIS)**

S282592 B320336 Second Appellate District, Div. 4

Petitions for review denied

**PEOPLE v. OTTLEY
(WILLIAM)**

S282596 C095603 Third Appellate District

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.

**CLINICAS DEL CAMINO
REAL, INC. v. BAASS
(MICHELLE)**

S282600	D080429 Fourth Appellate District, Div. 1	PEOPLE v. ESTRADA (MANUEL GARCIA)
Petition for review denied		
S282602	B321799 Second Appellate District, Div. 1	PEOPLE v. HALL (CHARLES)
Petition for review denied		
S282604	B324601 Second Appellate District, Div. 2	PEOPLE v. GRANT (EMERALD YVONNE)
Petition for review denied		
S282612	E078627 Fourth Appellate District, Div. 2	PEOPLE v. BRATTON (TORY PALMER)
Petition for review denied		
S282613	A163509 First Appellate District, Div. 5	PEOPLE v. KARIMI (ADIBA)
Petition for review denied		
S282615	C097847 Third Appellate District	PEOPLE v. WHITE (DARNELL LESHAWN)
Petition for review denied		
S282616		PHILLIPS (BARBARA LYNN) v. COURT OF APPEAL, FOURTH APPELLATE DISTRICT, DIVISION TWO (PEOPLE)
Petition for writ of mandate/prohibition & application for stay denied		
S282620	H047278 Sixth Appellate District	PEOPLE v. WINDHAM, JR., (SAMUEL)
Petition for review denied		
S282621	C096786 Third Appellate District	KHOROVETS (TATYANA) v. COUNTY OF PLACER
Petition for review denied		

S282623	B332674 Second Appellate District, Div. 5	REAGAN (ROBERT BRIAN) v. S.C. (PEOPLE)
Petition for review denied		
S282626	C095632 Third Appellate District	WU (REBECCA) v. CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM
Petition for review denied		
S282627	A164421 First Appellate District, Div. 3	PEOPLE v. JONES (ALBERT)
Petition for review denied		
S282632	G063173 Fourth Appellate District, Div. 3	PEOPLE v. SABBATH (CHARLES)
Petition for review denied		
S282635		DYER (JEWEL EVERN) v. S.C. (PEOPLE)
Petition for writ of mandate/prohibition denied		
S282636	A168310 First Appellate District, Div. 2	PHILLIPS (ERIC) ON H.C.
Petition for review denied		
S282646	B322386 Second Appellate District, Div. 3	PEOPLE v. MANARD (JAMAR LAVELL)
Petition for review denied		
S282647	F086696 Fifth Appellate District	STOKES (DARYL) ON H.C.
Petition for review denied		

S282650

**HUPP (PAUL HUPP) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION TWO
(PEOPLE)**

Petition for writ of certiorari & application for stay denied

S282659 G061690 Fourth Appellate District, Div. 3

**PEOPLE v. HILL (CURTIS
JAMES)**

Petition for review denied

S282662 C094537 Third Appellate District

**PEOPLE v. TUCKER (LEON
ALEXANDER)**

Petition for review denied

S282665 A165160 First Appellate District, Div. 2

**PEOPLE v. DOWELL
(TAUZHANA NASHA)**

Petition for review denied

S282669 A164280 First Appellate District, Div. 2

**PEOPLE v. GRUBBS (R.
ZACHARIA)**

Petition for review denied

S282811 A169008 First Appellate District, Div. 5

**KORMAN (ROBERT) v. S.C.
(NUNZIATO)**

Petition for review & application for stay denied

S275457

**McGUFFIE (RHODANKER)
ON H.C.**

Petition for writ of habeas corpus denied

S277920

**BATES (FRED ANDRE) ON
H.C.**

Petition for writ of habeas corpus denied

S280535**McFEELEY (MICHAEL
REID) ON H.C.**

Petition for writ of habeas corpus denied

S281352**WASHINGTON (JESSE) 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].)

S281354**DENNIS (JOEY DAYSHON)
ON H.C.**

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

S281446**SMITH (DARREL MAURICE)
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].)

S281448**THOMAS (EDWARD NOEL)
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].)

S281493**McCRIGHT (COLVIN) ON
H.C.**

Petition for writ of habeas corpus denied

S281546**COKER (CHARLES DAVID)
ON H.C.**

Petition for writ of habeas corpus denied

S281551**FEGAN (STEPHEN) 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].)

S281562

Petition for writ of habeas corpus denied

NASH (BOBBY) ON H.C.**S281564**

Petition for writ of habeas corpus denied

**KAMBON (THEON MARCEL)
ON H.C.****S281596**

Petition for writ of habeas corpus denied

WILBURN (JOHN) ON H.C.**S281614**

The requests to appear as counsel pro hac vice are granted.
The petition for writ of habeas corpus is denied.

**NONHUMAN RIGHTS
PROJECT, INC., ON H.C.****S281620**

Petition for writ of habeas corpus denied

**DUNHAM (RANDELL) ON
H.C.****S281794**

Petition for writ of habeas corpus denied

**PESQUEIRA (SERGIO
ALONSO) ON H.C.****S281795**

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].) 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].)

**BURKHOLDER (STEVEN
BURNETT) ON H.C.****S281804**

Petition for writ of habeas corpus denied

**BLAIR (RAYMOND
SANTONIO) ON H.C.**

S281811**COOPER (DEON) 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].)

S281813**SALMEN (JUSTIN) 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].)

S281820**CASTILLO (DAVEUM H.) 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].)

S281822**DARTY (KORY) ON H.C.**

Petition for writ of habeas corpus denied

S281830**CURL (WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied

S282021**McCORMACK (DEREK STEVEN) ON H.C.**

Petition for writ of habeas corpus denied

S282181**MURPHY (PATRICK GILLES) ON H.C.**

Petition for writ of habeas corpus denied

S282526**THOMAS (EDWARD NOEL) ON H.C.**

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

S282686**BRAGG (ISAAC S.) 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 Dexter* (1979) 25 Cal.3d 921, 925-926 [a habeas corpus petitioner must exhaust available administrative remedies].)

S282702**RILEY (SHANNON) ON H.C.**

Petition for writ of habeas corpus denied

S282716**CAMPOSECO (SAMUEL) 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].) 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 Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S282791**MARTINEZ SANCHEZ (MIGUEL) ON H.C.**

Petition for writ of habeas corpus denied

S282018

B320793 Second Appellate District, Div. 8

GULARTE (FRANCIS B.) v. SOUTHERN CALIFORNIA EDISON COMPANY

Publication request denied (case closed)

S272238

G058604 Fourth Appellate District, Div. 3

PEOPLE v. CURIEL (FREDDY ALFREDO)

Time extended to consider modification or rehearing

The finality of the decision in the above-entitled case is hereby extended to and including January 26, 2024, or the date upon which the modification request filed on December 12, 2023 is either granted or denied, whichever occurs first. (Cal. Rules of Court, rule 8.532(b)(1)(B) [governing extension of finality].)

S282362 G061460 Fourth Appellate District, Div. 3 **SIMS (SHARON DEON) v.
KOTE (PETER C.)**

The time for granting or denying review in the above-entitled matter is hereby extended to January 25, 2024.

S282389 C099498 Third Appellate District **AYALA (FELIX RUBEN) ON
H.C.**

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

S282402 D080058 Fourth Appellate District, Div. 1 **LOOK-YAN (GAIL) v.
MAZDA MOTOR
CORPORATION**

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

S282419 B314076 Second Appellate District, Div. 3 **OWOSEN MOTORSPORTS
GROUP, INC. v. TBE TOUR
CONSULTANT
CORPORATION**

The time for granting or denying review in the above-entitled matter is hereby extended to January 22, 2024.

S282430 B324988 Second Appellate District, Div. 1 **IN RE DAISY G.**

The time for granting or denying review in the above-entitled matter is hereby extended to January 23, 2024.

S282450 B326581 Second Appellate District, Div. 6 **IN RE S.L.**

The time for granting or denying review in the above-entitled matter is hereby extended to January 25, 2024.

S282457 B318349 Second Appellate District, Div. 4 **PADILLA (TRINIDAD) v.
PARTNERS PERSONNEL
MANAGEMENT SERVICES,
LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to January 25, 2024.

S212477**PEOPLE v. FRAZIER
(TRAVIS) & NOWLIN
(KENNETH LEE)**

Extension of time granted

On application of appellant Kenneth Nowlin, it is ordered that the time to serve and file appellant's opening brief is extended to February 20, 2024.

S212477**PEOPLE v. FRAZIER
(TRAVIS) & NOWLIN
(KENNETH LEE)**

Extension of time granted

On application of appellant Travis Frazier, it is ordered that the time to serve and file appellant's opening brief is extended to February 20, 2024.

S214917**PEOPLE v. NASO (JOSEPH)**

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 February 20, 2024.

S281282 E077553 Fourth Appellate District, Div. 2**PEOPLE v. FLETCHER
(LARRY LEE)**

Extension of time granted

On application of appellant, Eric Anthony Taylor, Jr., and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 16, 2024.

S281282 E077553 Fourth Appellate District, Div. 2**PEOPLE v. FLETCHER
(LARRY LEE)**

Extension of time granted

On application of appellant, Larry Lee Fletcher and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 16, 2024.

S282314**BRADSHAW ON DISCIPLINE**

Extension of time granted – DREXEL ANDREW BRADSHAW

On application of the State Bar of California and good cause appearing, it is ordered that the time to serve and file the petition for review is extended to January 2, 2024.

S026040**PEOPLE v. VIEIRA
(RICHARD JOHN)**

Withdrawal of counsel allowed by order

Good cause appearing, attorney Wesley A. Van Winkle’s “Unopposed Motion to Substitute Counsel,” filed October 4, 2023, is granted in part and denied in part as follows.

The order appointing Wesley A. Van Winkle as counsel of record for Richard J. Vieira in connection with all post convictions proceedings, filed July 8, 2015, is hereby vacated.

Attorney Van Winkle is directed to deliver to Joseph Schlesinger, in his capacity as Executive Director of the California Appellate Project in San Francisco, within 30 days from the filing of this order, his copy of the record on appeal in *People v. Vieira*, all case files, and all habeas corpus investigation work product. Attorney Van Winkle is also directed to deliver to Mr. Schlesinger, within 30 days from the filing of this order, all trial files, reports and related materials that he has obtained from appellant’s trial counsel, paralegals, experts and investigators, or from any other source. Executive Director Schlesinger and any successors must ensure that these materials and work product remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Vieira.

To the extent the motion requests appointment of John R. Mills as counsel for habeas corpus proceedings, the motion is denied without prejudice to the filing of a new motion in the superior court. To the extent the motion requests appointment of John R. Mills as counsel for executive clemency proceedings, the motion is denied.

S065877**PEOPLE v. LOPEZ (BOBBY)
& TRUJEQUE (JAMES)**

Withdrawal of counsel allowed by order

Good cause appearing, appointed habeas corpus/executive clemency counsel Wesley A. Van Winkle’s “Motion to Permit Counsel for Appellant to Withdraw for Medical Reasons,” filed November 6, 2023, is granted. The order appointing Attorney Wesley A. Van Winkle to represent condemned inmate Bobby Lopez for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court, filed June 1, 2010, is hereby vacated.

Attorney Van Winkle is directed to deliver to Joseph Schlesinger, in his capacity as Executive Director of the California Appellate Project in San Francisco, within 30 days from the filing of this order, his copy of the record on appeal in *People v. Lopez and Trujeque*, all case files, and all habeas corpus investigation work product. Attorney Van Winkle is also directed to deliver to Mr.

Schlesinger, within 30 days from the filing of this order, all trial files, reports and related materials that he has obtained from appellant's trial counsel, paralegals, experts and investigators, or from any other source. Executive Director Schlesinger and any successors must ensure that these materials and work product remain confidential and are not disclosed to anyone other than employees of the California Appellate Project in San Francisco in the course of their duties and the attorney(s) subsequently appointed to represent condemned inmate Lopez.

S210386**PEOPLE v. LIVINGSTON
(WAYMON)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed appellate-only counsel for permission to withdraw as attorney of record for appellant Waymon Livingston, filed September 13, 2023, is granted.

The order appointing Richard P. Siref as appellate-only counsel of record for appellant Waymon Livingston, filed February 17, 2016, is hereby vacated.

On the court's own motion, Joseph Schlesinger, in his capacity as Executive Director of the California Appellate Project in San Francisco, is hereby appointed as interim appellate counsel of record for appellant Waymon Livingston.

Richard P. Siref is hereby directed to deliver to Executive Director Schlesinger, within 60 days from the filing of this order, all appellate work product, trial files, and all other appellate materials that he has obtained from appellant Waymon Livingston or from his trial counsel or paralegals, or from any other source.

S281258 F085642 Fifth Appellate District**PEOPLE v. PARKER (DAVID
DUANE)**

Counsel appointment order filed

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

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

Counsel appointment order filed

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

S281488 E080032 Fourth Appellate District, Div. 2 **PEOPLE v. LOPEZ (OSCAR)**
Counsel appointment order filed

Upon request of appellant for appointment of counsel, Rachel Varnell is hereby appointed to represent appellant on the appeal now pending in this court. Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S281785 C096700 Third Appellate District **PEOPLE v. LEE (DAWN THERESA)**
Counsel appointment order filed

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

S281826 F083132 Fifth Appellate District **PEOPLE v. STAFFORD (KELLY DEAN)**
Counsel appointment order filed

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

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

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

S281938 B321015 Second Appellate District, Div. 1 **IN RE D.L.**
Counsel appointment order filed

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

S281956 A165985 First Appellate District, Div. 3

PEOPLE v. CLARK (JAMES ALLEN)

Counsel appointment order filed

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

S282031 E080543 Fourth Appellate District, Div. 2

PEOPLE v. JACKSON (STANLEY RUSSELL)

Counsel appointment order filed

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

S258581

PEOPLE v. VILLANUEVA (RIGOBERTO)

Record augmentation denied

Appellant Rigoberto Villanueva's "Motion to Augment the Record," filed on October 9, 2023, is denied without prejudice to the filing of a request for judicial notice.

S210386

PEOPLE v. LIVINGSTON (WAYMON)

Motion to file document under seal granted

Good cause appearing, appointed counsel's "Application to File Declaration of Richard P. Siref and Exhibit A Under Seal Pursuant to California Rules of Court, Rule 8.46[d]," filed September 13, 2023, is granted.

The court makes the findings required by rule 8.46(d)(6) of the California Rules of Court.

S278309 B319961 Second Appellate District, Div. 2

PEOPLE v. WALKER (MAURICE)

Order filed

The parties are hereby notified that the court proposes to take judicial notice of the video recording of the Senate Floor Session held on September 10, 2021, at which Senator Nancy Skinner requested, and received, unanimous consent to submit her letter addressing Senate Bill No. 81 (2021-2022 Reg. Sess.) for inclusion within the Senate Daily Journal. (See Senate Floor Session (Sept. 10, 2021) at 6:06:27-6:06:47 (time stamp from the recording), video recording available at <https://www.senate.ca.gov/media/senate-floor-session-20210910/video> [as of Dec. 13,

2023].)

This notice is provided pursuant to the provisions of Evidence Code sections 459, subdivision (c) and 455, subdivision (a). The parties may serve and file letter briefs, not to exceed 10 pages in length, concerning this proposal on or before December 28, 2023.

S282315

EVERETT ON DISCIPLINE

Remanded to State Bar

The above-entitled matter is referred to the State Bar Review Department for further consideration pursuant to Rules of Court, rule 9.17. The court directs the State Bar Court to reconsider the filings made by DANIEL EVERETT in the Review Department on October 12, 2023, as they appear on their face to have been timely filed by operation of State Bar Rules of Procedure, rules 5.28(A), 5.112(B), and 5.151(B). Petitioner's "Motion to Stay Time to Request Review of Hearing Department Recommendation for Disbarment" filed on November 17, 2023, is denied as moot.