

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 20, 2013
SAN FRANCISCO, CALIFORNIA**

S081700**PEOPLE v. HARRIS (WILLIE
LEO)**

The petition for rehearing is denied.

S213137

D061720 Fourth Appellate District, Div. 1

**COKER (CAROL) v. JP
MORGAN CHASE BANK,
N.A.**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.
Kennard, J., was recused and did not participate.

S213810

B250534 Second Appellate District, Div. 6

**MARTINEZ (LOMBARD
ADONIS) ON H.C.**

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

The petition for review is granted. The matter is transferred to the Court of Appeal, Second Appellate District, Division Six. That court is ordered to vacate its September 25, 2013 order summarily denying habeas relief and is directed to issue an order to show cause returnable before the Los Angeles County Superior Court. The Director of the Department of Corrections and Rehabilitation is to be ordered to show cause, when the matter is placed on calendar, why petitioner is not entitled to relief based on the ineffective assistance of counsel as a result of counsel's affirmative misadvice regarding the immigration consequences of petitioner's plea.

Votes: Cantil-Sakauye, C. J., Kennard, Werdegar, and Liu, JJ.

S166498**HAWTHORNE, JR.
(ANDERSON) ON H.C.**

Petition for writ of habeas corpus denied (AA)

Petitioner Anderson Hawthorne Jr.'s "Petition for Writ of Habeas Corpus," filed on September 2, 2008, is denied on the merits.

S212883 A133769/A137965 First Appellate District, Div. 3 **PEOPLE v. SMITH (PIERRE)**

Petition for review denied

S213158 A138062/A138109/A138110/A138111/A138112/A138113/A138114

First Appellate District, Div. 1

**PEOPLE v. CUEVAS
(ANTHONY)**

Petitions for review & depublication request(s) denied
Werdegar, J., is of the opinion the petition should be granted.

S213161 E056318 Fourth Appellate District, Div. 2

**PEOPLE v. McGHEE
(DARRYL)**

Petition for review denied

S213198 G045584 Fourth Appellate District, Div. 3

**BANYAN LIMITED
PARTNERSHIP v. BAER
(DAN W.)**

Petition for review & publication request(s) denied
The “Motion to Strike Portions of Petitioner’s Reply to Answer to Petition for Review”, filed on November 4, 2013, is denied.

S213212

**PIERCE (SEBREN A.) v.
COURT OF APPEAL,
FOURTH APPELLATE
DISTRICT, DIVISION TWO
(PEOPLE)**

Petition for writ of mandate/prohibition denied

S213278 B244998 Second Appellate District, Div. 1

IN RE C.Q.

Petition for review denied

S213295 C071012 Third Appellate District

**PEOPLE v. McCALL
(ARTHUR ALEXANDER)**

Petition for review denied

S213317 E053798 Fourth Appellate District, Div. 2

**PEOPLE v. DENMAN
(EUGENE V.)**

Petition for review denied

S213329 B238077 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MORROW
(HARVEY)**

S213351 B239739 Second Appellate District, Div. 7

Petition for review denied

**PEOPLE v. VILLALOBOS
(JOHNNY)**

S213371 C072746 Third Appellate District

Petition for review & depublication request(s) denied

**BNSF RAILWAY COMPANY
v. PUBLIC UTILITIES
COMMISSION (CITY OF SAN
CLEMENTE)**

S213394 F064045 Fifth Appellate District

Petition for review & depublication request(s) denied
Kennard, J., is of the opinion the petition should be granted.

**POET LLC v. CALIFORNIA
AIR RESOURCES BOARD**

S213471 F062970 Fifth Appellate District

Petitions for review denied

**PEOPLE v. GUTIERREZ, JR.,
(RAY)**

S213472 A139482 First Appellate District, Div. 3

Petition for review & publication request(s) denied

PEOPLE v. S.C. (MONTAR)

S213493 B241833 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. FLORES (JOE
FIDEL)**

S213498 B241495 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BUTTS (DARRYL
M.)**

- S213519** B251116 Second Appellate District, Div. 6 **CAMPOS (ELIZABETH) v. S.C. (STONE)**
Petition for review denied
- S213522** B251050 Second Appellate District, Div. 6 **CAMPOS (ELIZABETH) v. S.C. (STONE)**
Petition for review denied
- S213527** A135765 First Appellate District, Div. 1 **GRISHAM, JR., (CHARLES CURTIS) v. NOTRE DAME DE NAMUR UNIVERSITY**
Petition for review denied
- S213536** B239801 Second Appellate District, Div. 7 **KING (MICHAEL G.) v. WU (CHUNG H.)**
Petition for review denied
- S213541** B240285 Second Appellate District, Div. 2 **FELDMAN (RAYMOND) v. BAC HOME LOANS SERVICING LP**
Petition for review & publication request(s) denied
Chin, J., was recused and did not participate.
- S213547** C063676 Third Appellate District **PEOPLE v. STEPHENSON (WILLIAM ROBERT)**
Petition for review denied
- S213564** B238362 Second Appellate District, Div. 4 **PEOPLE v. SANTOS (OSCAR ENRIQUE)**
Petition for review denied

S213579 B249438 Second Appellate District, Div. 8

**GOINGS (HATTIE) v.
WORKERS'
COMPENSATION APPEALS
BOARD & WERNER
ENTERPRISES**

Petition for review denied

S213601 B237886 Second Appellate District, Div. 7

PEOPLE v. WIZAR (JERRY)

Petition for review denied

S213603 B246557 Second Appellate District, Div. 5

**PEOPLE v. CASTRO (DIEGO
VEGA)**

Petition for review denied

S213605 D061986 Fourth Appellate District, Div. 1

**PEOPLE v. ALPHONSO (ASA
ANTHONY)**

Petition for review denied

S213639 E059585 Fourth Appellate District, Div. 2

**ANDERSON (PHILLIP
MARK) ON H.C.**

Petition for review denied

S213646 F063429 Fifth Appellate District

**PEOPLE v. MAHONEY
(BETTY ELLEN)**

Petition for review denied

S213648 B249710 Second Appellate District, Div. 3

**SMITH, JR., (DELANEY) v.
S.C. (COUNTY OF LOS
ANGELES)**

Petition for review & application for stay denied

S213650 A136554 First Appellate District, Div. 5

**PEOPLE v. MCGILBERY
(SUMARTRA LAKISA)**

Petition for review denied

S213684	D062971 Fourth Appellate District, Div. 1	PEOPLE v. CHILDERS (CHRISTOPHER MARK)
Petition for review denied		
S213716	B239837 Second Appellate District, Div. 4	PEOPLE v. KULCSAR (JANOS)
Petition for review denied		
S213721	E057109 Fourth Appellate District, Div. 2	IN RE C.R.
Petition for review denied		
S213740	B240818 Second Appellate District, Div. 4	PEOPLE v. AINSWORTH (TYRELL)
Petition for review denied		
S213745	B251051 Second Appellate District, Div. 3	SMITH (DELANEY) v. S.C. (COUNTY OF LOS ANGELES)
Petition for review & application for stay denied		
S213774	D062929 Fourth Appellate District, Div. 1	PEOPLE v. LYNCH (MARK)
Petition for review denied		
S213805	B245099 Second Appellate District, Div. 7	IN RE J.T.
Petition for review denied		
S213806	H037917 Sixth Appellate District	PEOPLE v. HERMOSILLO (JOSE HORACE)
Petition for review denied		
S213821	A137913 First Appellate District, Div. 5	IN RE A.F.
Petition for review denied		

S213825	B251428 Second Appellate District, Div. 7	REDMOND, JR., (WILLIE) ON H.C.
Petition for review denied		
S213857	B238733 Second Appellate District, Div. 6	PEOPLE v. OGG (LYNDA GARRIELLA)
Petition for review denied		
S213863	B230858 Second Appellate District, Div. 3	A-JU TOURS, INC. v. CHANG (OK SONG)/(HENRY M. LEE LAW CORPORATION)
Petition for review denied		
S213901	D062461 Fourth Appellate District, Div. 1	PEOPLE v. MacDOUGALL (KYLE ROBERTSON)
Petition for review denied		
S213902	E055125 Fourth Appellate District, Div. 2	PEOPLE v. LOCKHART (RICHARD ANTHONY)
Petition for review denied		
S213904	F058082 Fifth Appellate District	PEOPLE v. BOWMAN (KEVIN ALAN)
Petition for review denied		
S213920	H039569 Sixth Appellate District	GRAFF (KELLY) ON H.C.
Petition for review denied		
S213938	B242572 Second Appellate District, Div. 6	PEOPLE v. CABRERA (NELSON OLIVERIO)
Petition for review denied		
S213941	F068015 Fifth Appellate District	WILKINS (KEENAN) v. S.C. (JACOBSON)
Petition for review denied		

S213952 B242703 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. FRANCISCO
(TITUS ADRIAN)**

S213955 B240082 Second Appellate District, Div. 3

Petition for review denied

IN RE A.C.

S213963 E055696 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MORA (CESAR
ALBERT)**

S213968 G046975 Fourth Appellate District, Div. 3

Petition for review denied

**COPENBARGER (PAUL D.) v.
McNAUGHTON (KENT A.)**

S213969 B243014 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. VALDEZ
(BRANDON J.)**

S213972 B239123 Second Appellate District, Div. 1

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.
Baxter, J., was recused and did not participate.

**BANUELOS (KEVIN) v. LA
INVESTMENT LLC**

S213973 B250872 Second Appellate District, Div. 6

Petition for review denied

**MONIGAN (LEWIS C.) ON
H.C.**

S213974 F067873 Fifth Appellate District

Petition for review denied

**SINGH (DALJIT) v. S.C.
(STATE BOARD OF
EQUALIZATION)**

S213975 H038575 Sixth Appellate District

Petition for review denied

**PEOPLE v. JOHNSON
(WILLIAM LOUIS)**

S213984 B242775 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. RODRIGUEZ
(GILBERT MANUEL)**

S213986 B242575 Second Appellate District, Div. 8

Petition for review denied

**TRAN (NEENAH) v.
HARALAMBUS (HARRY)**

S213987 A133110 First Appellate District, Div. 1

Petition for review denied

PEOPLE v. BLUE (JESSE)

S213991 B241530 Second Appellate District, Div. 5

Petition for review denied

PEOPLE v. FLORES (EFREN)

S213992 G045698 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SHAWKEY
(GARY A.)**

S213995 C066249 Third Appellate District

Petition for review denied

**PEOPLE v. HARTWAY
(RICKY)**

S213998 B242758 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. SENTE (CELSON)

S214007 B246998 Second Appellate District, Div. 8

Petition for review denied

IN RE ALFREDO D.

S214008 C072538 Third Appellate District

Petition for review denied

**PEOPLE v. ONTIVEROS
(MARTIN VENTURA)**

S214012 G046999 Fourth Appellate District, Div. 3

Petition for review denied

IN RE GARRETT W.

S214019 A134920 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. BASSETT
(RAYMONT D.)**

S214020 G043384 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GONZALES
(MICHAEL CONTRERAS)**

S214025 B241670 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. TENA
(SALVADOR MEDINA)**

S214035 B244001 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PIERRE
(MARKUS)**

S214038 A139613 First Appellate District, Div. 5

Petition for review denied

**WONG (RAYMOND
EDWARD) v. S.C. (PEOPLE)**

S214046 B251562 Second Appellate District, Div. 3

Petition for review denied

**CEGALLIANCE, INC. v. S.C.
(REDMAN'S
CONSTRUCTION, INC.)**

S214054 B238060 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. PALOMO
(ROBERT)**

S214056 A136139 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. JOHNSON
(DEVONDAS D.)**

S214057 G047320 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ORTIZ (ALONSO
RUBIO)**

S214076 D063104 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ALLMAN
(CHARLES EDWARD)**

S214090 B240804 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TYARS
(DEWAYNE MICHAEL)**

S214186

Petition for writ of mandate/prohibition denied

**HERRERA (ALEX) v. S.C.
(PEOPLE)**

S214438 B251973 Second Appellate District, Div. 4

Petition for review & application for stay denied

**ENTERPRISE HOLDINGS,
INC. v. S.C. (UWADALE)**

S214594 B250940 Second Appellate District, Div. 7

Petition for review & application for stay denied

**SANAI (CYRUS M.) v. S.C.
(SALTZ)**

S207976

Petition for writ of habeas corpus denied

CABRALES (JAIME) ON H.C.

S210707

Petition for writ of habeas corpus denied

**PUCKETT (JEREMY
PHILLIP) ON H.C.**

S211223

Petition for writ of habeas corpus denied

CANNON (DARIO) ON H.C.**S211287**

The request for judicial notice is granted.
The petition for writ of habeas corpus is denied.

PITNEY (PHILLIP) ON H.C.**S211823**

Petition for writ of habeas corpus denied

**ZARAGOZA (RUBEN) ON
H.C.****S211979**

Petition for writ of habeas corpus denied

JASSY (DAVID M.) ON H.C.**S212609**

Petition for writ of habeas corpus denied

**OLIVER (ANTHONY LADEL)
ON H.C.****S212815**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

ROOTS (DONALD) ON H.C.**S212816**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Gonzalez* (2008) 43 Cal.4th 1118.)

**WASHINGTON (CURTIS
LEE) ON H.C.****S212825**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

**ALVARADO (WILMER
ALEXIS) ON H.C.**

S212858

**WEAVER (HOWARD
CHESTER) ON H.C.**

Petition for writ of habeas corpus denied

S212932

GRAVES (FRED) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S212937

**HOLSOME (GLENN C.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S212938

**JOHNSON (JASON
WILBERT) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S212945

**RODRIGUEZ (ERNESTO) ON
H.C.**

Petition for writ of habeas corpus denied

S212946

COOK (DAMON B.) ON H.C.

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S212949

**BURCHAM (JOSHUA) ON
H.C.**

Petition for writ of habeas corpus denied

S212959

**SMITH (LAWRENCE
CHRISTOPHER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S212964

**VILLASENOR
(MARGARITO) ON H.C.**

Petition for writ of habeas corpus denied

S212972

**BEATY (MICHAEL TODD)
ON H.C.**

Petition for writ of habeas corpus denied

S212973

**DOOLEY, JR., (BILLEY L.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S212979

**GLICA (JAMES DAVID
FLOYD) ON H.C.**

Petition for writ of habeas corpus denied

S212997

**ZARAGOZA (OLIVER
SANCHEZ) ON H.C.**

Petition for writ of habeas corpus denied

S213081

**CORONA (FERNANDO) ON
H.C.**

Petition for writ of habeas corpus denied

S213085

**TORRES (RAUL GONZALES)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

S213090

**LOCKHART (MARK A.) ON
H.C.**

Petition for writ of habeas corpus denied

S213095**SHEEHAN (CHRISTOPHER
M.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S213101**LINDSEY (EDWARD) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S213103**WATSON (WALTER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S213109**SYKES (SHAU-RON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S213114**MARTINEZ (EDGAR) ON
H.C.**

Petition for writ of habeas corpus denied

S213179**STEELE (REBEKAH SUE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S213183**COX, JR., (GLENN MARTIN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S213186**FISHER (PETER LYLE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S205073 E052849 Fourth Appellate District, Div. 2 **AMERICAN STATES
INSURANCE COMPANY v.
RAMIREZ (CHRISTINA)**

Stay order filed

The parties' "Joint Motion for Order Directing Trial Court to Evaluate Minor's Compromise" is granted. Pursuant to California Rules of Court, rule 8.244(d), the Superior Court of San Bernardino County is directed to consider whether the compromise reached by the parties in this matter is in the minor's best interests and report its findings to this court by January 8, 2014. If needed, an extension may be granted upon the parties' joint motion for good cause shown. Further action in this matter is stayed pending further order of this court.

S214734 H040310 Sixth Appellate District **CALIFORNIA VICTIM
COMPENSATION &
GOVERNMENT CLAIMS
BOARD v. S.C. (DIAZ)**

Stay order filed

Pending final determination of the petition for review filed herein, all proceedings in Santa Clara County Superior Court, case 1-13-CV-247733, entitled *Diaz v. California Victim Compensation and Government Claims Board* are hereby stayed.

S213396 D060621 Fourth Appellate District, Div. 1 **HAPPY NAILS & SPA OF
FASHION VALLEY LP v. SU
(JULIE A.)**

Depublication ordered (case closed)

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed July 19, 2013, which appears at 217 Cal.App.4th 1459. (Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

S213333 B245118 Second Appellate District, Div. 4 **SOUTHERN CALIFORNIA
EDISON v. WORKERS'
COMPENSATION APPEALS
BOARD & MARTINEZ
(ELSIE)**

Publication requests denied (case closed)

S084996**PEOPLE v. CHHOUN (RUN
PETER)**

Application to file over-length brief granted

Good cause appearing, appellant's application for leave to file oversized opening brief, filed on November 7, 2013, is granted. The opening brief must not exceed 125,000 words.

S146939**PEOPLE v. CAPERS (LEE
SAMUEL)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Peter R. Silten's representation that the appellant's opening brief is anticipated to be filed by October 1, 2014, counsel's request for an extension of time in which to file that brief is granted to January 21, 2014. After that date, only five further extensions totaling about 280 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S150509**PEOPLE v. PINEDA
(SANTIAGO)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gary D. Garcia's representation that the appellant's opening brief is anticipated to be filed by January 21, 2014, counsel's request for an extension of time in which to file that brief is granted to January 21, 2014. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

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

Extension of time granted

Good cause appearing, and based upon counsel Phillip H. Cherney's representation that the appellant's opening brief is anticipated to be filed by May 31, 2014, counsel's request for an extension of time in which to file that brief is granted to January 21, 2014. After that date, only three further extensions totaling about 134 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S189373**PEOPLE v. WILSON
(LESTER HARLAND)**

Extension of time granted

Good cause appearing, and based upon counsel Patrick Morgan Ford's representation that the appellant's opening brief is anticipated to be filed by December 16, 2013, counsel's request for an extension of time in which to file that brief is granted to December 16, 2013. After that date, no further extension is contemplated.

S209679**JOHNSON (LUMORD) ON
H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for writ of habeas corpus is granted to January 14, 2014. The court anticipates that after that date, only five further extensions totaling about 270 additional days will be granted.

S211275 C070272 Third Appellate District**PEOPLE v. CONLEY
(PATRICK LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 18, 2013.

S211915 B233833 Second Appellate District, Div. 8**PEOPLE v. CORTEZ
(NORMA LILIAN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 2, 2013.

S212704 B240519 Second Appellate District, Div. 4**MENDIOLA (TIM) v. CPS
SECURITY SOLUTIONS, INC.**

Extension of time granted

On application of respondents, CPS Security Solutions, Inc., et al., and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 2, 2013.

S212704 B240519 Second Appellate District, Div. 4 **MENDIOLA (TIM) v. CPS SECURITY SOLUTIONS, INC.**

Extension of time granted

On application of respondents, Tim Mendiola et al., and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 2, 2013.

S214350 B238921 Second Appellate District, Div. 3 **LAS VEGAS LAND & DEVELOPMENT COMPANY LLC v. WILKIE WAY LLC**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to December 4, 2013.

S202512 **GARCIA (SERGIO C.) ON ADMISSION**

Order filed

The untimely application of California Latino Legislative Caucus for permission to file a supplemental amicus curiae brief is hereby granted.

S213983 **ACCUSATION OF STOTT**
Petition denied (accusation)

S214135 **ACCUSATION OF FITZGERALD**
Petition denied (accusation)

S201031 **GUILLORY ON DISCIPLINE**

Recommended discipline imposed

The court orders that DOROTHY DAVIS GUILLORY, State Bar Number 114891, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and she is placed on probation for four years subject to the following conditions:

1. DOROTHY DAVIS GUILLORY is suspended from the practice of law for a minimum of the first two years of probation, and she will remain suspended until the following requirements are satisfied:
 - i. She makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles:

- (1) Lelma Williams in the amount of \$30,000 plus 10 percent interest per year from January 7, 2010; and
 - (2) Sandra Smith in the amount of \$30,000 plus 10 percent interest per year from January 7, 2010; and
- ii. She must provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. DOROTHY DAVIS GUILLORY must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on March 5, 2013.
 3. At the expiration of the period of probation, if DOROTHY DAVIS GUILLORY has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

DOROTHY DAVIS GUILLORY must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DOROTHY DAVIS GUILLORY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S213319

COOKE ON DISCIPLINE

Recommended discipline imposed

The court orders that KENNETH MATTHEW COOKE, State Bar Number 159341, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. KENNETH MATTHEW COOKE is suspended from the practice of law for the first 120 days of probation;
2. KENNETH MATTHEW COOKE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on July 12, 2013; and
3. At the expiration of the period of probation, if KENNETH MATTHEW COOKE has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

KENNETH MATTHEW COOKE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the

same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

KENNETH MATTHEW COOKE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S213321**DORCY ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that J. RANDY DORCY, State Bar Number 170620, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

J. RANDY DORCY must make restitution to Yan Hou in the amount of \$3,500 plus 10 percent interest per year from November 7, 2011. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

J. RANDY DORCY must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S213323**KLEINBERG ON
DISCIPLINE**

Recommended discipline imposed

The court orders that KENNETH JOHN KLEINBERG, State Bar Number 110732, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. KENNETH JOHN KLEINBERG is suspended from the practice of law for the first nine months of probation (with credit given for inactive enrollment, which was effective August 15, 2011, through September 3, 2012 (Bus. & Prof. Code, § 6122);
2. KENNETH JOHN KLEINBERG must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on July 22, 2013; and
3. At the expiration of the period of probation, if KENNETH JOHN KLEINBERG has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

KENNETH JOHN KLEINBERG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide

satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S213326**PHAM, JR., ON DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS D. PHAM, JR., State Bar Number 183521, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. THOMAS D. PHAM, JR., is suspended from the practice of law for a minimum of the first six months of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He pays the sanctions to the Los Angeles Superior Court which he was ordered to pay in *Harrison, et al. v. Pfeiffer, et al.*, and provides satisfactory proof to the State Bar's Office of Probation in Los Angeles that he has paid the sanctions.; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. THOMAS D. PHAM, JR., must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 18, 2013.
3. At the expiration of the period of probation, if THOMAS D. PHAM, JR., has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

THOMAS D. PHAM, JR., must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S213327**RIBARICH ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN M. RIBARICH, State Bar Number 183883, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JOHN M. RIBARICH is suspended from the practice of law for the first 90 days of probation;
2. JOHN M. RIBARICH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 24, 2013; and
3. At the expiration of the period of probation, if JOHN M. RIBARICH has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN M. RIBARICH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

JOHN M. RIBARICH must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2015, 2016, and 2017. If JOHN M. RIBARICH fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S214625**ROEHL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CAROL ELAINE ROEHL, State Bar Number 87651, as a member of the State Bar of California is accepted.

CAROL ELAINE ROEHL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214627

**SANTONIL ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROY BARIN SANTONIL, State Bar Number 152622, as a member of the State Bar of California is accepted.

ROY BARIN SANTONIL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214628

**SCHURMANN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ANNA MAE SCHURMANN, State Bar Number 86405, as a member of the State Bar of California is accepted.

ANNA MAE SCHURMANN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214630

SHINOBU ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of AMY JEAN SHINOBU, State Bar Number 64597, as a member of the State Bar of California is accepted.

AMY JEAN SHINOBU must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214631

STERN ON RESIGNATION

Voluntary resignation accepted

The court orders that the voluntary resignation of EDWARD STERN, State Bar Number 20401, as a member of the State Bar of California is accepted.

EDWARD STERN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214633**TURTLETAUB ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MARC JAY TURTLETAUB, State Bar Number 85330, as a member of the State Bar of California is accepted.

MARC JAY TURTLETAUB must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214634**TWIBELL ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of DAVID ANTHONY TWIBELL, State Bar Number 160556, as a member of the State Bar of California is accepted.

DAVID ANTHONY TWIBELL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214635**WALKER ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CARRIE THERESA WALKER, State Bar Number 193467, as a member of the State Bar of California is accepted.

CARRIE THERESA WALKER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214636**WEINTRAUB ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANICE BETH WEINTRAUB, State Bar Number 172493, as a member of the State Bar of California is accepted.

JANICE BETH WEINTRAUB must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

S214637

**ZIMMERMAN ON
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JANET LYNNE ZIMMERMAN, State Bar Number 78693, as a member of the State Bar of California is accepted.

JANET LYNNE ZIMMERMAN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.