

**SUPREME COURT MINUTES
TUESDAY, MAY 5, 2015
SAN FRANCISCO, CALIFORNIA**

S104665

**PEOPLE v. POORE
(CHRISTOPHER ERIC)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman, Jr., representation that the appellant's opening brief is anticipated to be filed by December 10, 2015, counsel's request for an extension of time in which to file that brief is granted to July 8, 2015. After that date, only three further extensions totaling about 154 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).)

S134792

**PEOPLE v. HUGHES
(MERVIN RAY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 30, 2015.

S151172

**PEOPLE v. FORD (WAYNE
ADAM)**

Extension of time granted

Good cause appearing, and based upon counsel Mark E. Cutler's representation that the appellant's opening brief is anticipated to be filed by October 31, 2015, counsel's request for an extension of time in which to file that brief is granted to July 6, 2015. After that date, only two further extensions totaling about 120 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).)

S168441

**PEOPLE v. McKNIGHT
(ANTHONY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to June 30, 2015.

S172750**PEOPLE v. KENNEDY (JOHN FITZGERALD)**

Extension of time granted

Good cause appearing, and based upon counsel Christian C. Buckley's representation that the appellant's opening brief is anticipated to be filed by May 29, 2015, counsel's request for an extension of time in which to file that brief is granted to May 29, 2015. After that date, no further extension is contemplated.

S175851**PEOPLE v. RICES (JEAN PIERRE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Alana Cohen Butler's representation that the respondent's brief is anticipated to be filed by December 15, 2015, counsel's request for an extension of time in which to file that brief is granted to July 6, 2015. After that date, only three further extensions totaling about 164 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).)

S177281**PEOPLE v. MAGALLON (MIGUEL ANGEL)**

Extension of time granted

Good cause appearing, and based upon counsel Lynne S. Coffin's representation that the appellant's opening brief is anticipated to be filed by December 31, 2015, counsel's request for an extension of time in which to file that brief is granted to June 29, 2015. After that date, only three further extensions totaling about 187 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).)

S182278**PEOPLE v. NELSON (TANYA JAIME)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to July 7, 2015.

S189049**TATE (GREGORY O'NEIL)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Sara Turner's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by December 15, 2015, counsel's request for an extension of time in which to file that brief is granted to July 6, 2015. After that date, only three further extensions totaling about 162 additional days are contemplated.

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

Extension of time granted

The application of appellant for relief from default for the failure to timely file appellant's request for extension of time is granted.

Good cause appearing, and based upon counsel Patrick Morgan Ford's representation that the appellant's reply brief is anticipated to be filed by June 19, 2015, counsel's request for an extension of time in which to file that brief is granted to June 19, 2015. After that date, no further extension is contemplated.

S198132**PEOPLE v. FAYED (JAMES
MICHAEL)**

Extension of time granted

Good cause appearing, and based upon counsel Kelly C. Quinn's representation that the appellant's reply brief is anticipated to be filed by November 2, 2015, counsel's request for an extension of time in which to file that brief is granted to July 6, 2015. After that date, only two further extensions totaling about 120 additional days will be granted.

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).)

S221038 A140035 First Appellate District, Div. 2**BRISTOL-MYERS SQUIBB
COMPANY v. S.C.
(ANDERSON)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to May 26, 2015.

S221519**CÁSARES (JOSÉ) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David A. Lowe's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 26, 2015, counsel's request for an extension of time in which to file that document is granted to June 29, 2015. After that date, only two further extensions totaling about 120 additional days are contemplated.

S221693**ZAMBRANO (ENRIQUE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Gregory A. Ott's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 15, 2015, counsel's request for an extension of time in which to file that document is granted to June 15, 2015. After that date, no further extension is contemplated.

S221958

E054056 Fourth Appellate District, Div. 2

**PEOPLE v. CANIZALES
(MICHAEL RAFAEL)**

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 May 15, 2015.

S222578**RALEY (DAVID A.) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Glenn R. Pruden's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 1, 2015, counsel's request for an extension of time in which to file that document is granted to June 1, 2015. After that date, no further extension is contemplated.

S222935**VELASQUEZ (RICARDO) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to June 3, 2015.

S223676 C073949 Third Appellate District

**PEOPLE v. CHANEY
(CLIFFORD PAUL)**

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 May 19, 2015.

S224088

**LONG (KIMBERLY LOUISE)
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to June 3, 2015.

S225373

**SANCHEZ (EDGARDO) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Corey J. Robins's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 27, 2015, counsel's request for an extension of time in which to file that document is granted to June 29, 2015. After that date, only one further extension totaling about 30 additional days is contemplated.

S224905

**MORRIS (PHILLIP) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, First Appellate District

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

S225133

**BURTON (ERIC W.) v. S.C.
(PEOPLE)**

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

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

S224716**NAIR ON DISCIPLINE**

Recommended discipline imposed

The court orders that GOURI GOPALAN NAIR, State Bar Number 270900, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. GOURI GOPALAN NAIR is suspended from the practice of law for the first 30 days of probation;
2. GOURI GOPALAN NAIR 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 December 22, 2014; and
3. At the expiration of the period of probation, if GOURI GOPALAN NAIR has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

GOURI GOPALAN NAIR 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. One-half of the costs must be paid with her fees for each of the years 2016 and 2017. If GOURI GOPALAN NAIR 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.

S224717**SMITH ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RANDOLPH CRAIG SMITH, State Bar Number 101375, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RANDOLPH CRAIG SMITH 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.

S224719**JACKSON ON DISCIPLINE**

Recommended discipline imposed

The court orders that GARY ALAN JACKSON, State Bar Number 168947, 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. GARY ALAN JACKSON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 8, 2015; and
2. At the expiration of the period of probation, if GARY ALAN JACKSON has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

GARY ALAN JACKSON 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 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.

S224720**KARTOON ON DISCIPLINE**

Recommended discipline imposed

The court orders that DERON ADAM KARTOON, State Bar Number 155925, 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 three years subject to the following conditions:

1. DERON ADAM KARTOON is suspended from the practice of law for the first thirty days of probation;
2. DERON ADAM KARTOON must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 15, 2104; and
3. At the expiration of the period of probation, if DERON ADAM KARTOON has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

DERON ADAM KARTOON 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.

S224721**KASSIMALI ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMIL ASLAM KASSIMALI, State Bar Number 275289, 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. JAMIL ASLAM KASSIMALI must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 9, 2015; and
2. At the expiration of the period of probation, if JAMIL ASLAM KASSIMALI has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JAMIL ASLAM KASSIMALI 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 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. One third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If JAMIL ASLAM KASSIMALI 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.

S224742**LAPHAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK WHITNEY LAPHAM, State Bar Number 146352, 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. MARK WHITNEY LAPHAM is suspended from the practice of law for the first 30 days of probation;
2. MARK WHITNEY LAPHAM 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 January 8, 2015; and
3. At the expiration of the period of probation, if MARK WHITNEY LAPHAM has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARK WHITNEY LAPHAM 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.

S224744**LINDSTROM, JR., ON
DISCIPLINE**

Recommended discipline imposed

The court orders that CARL ALFRED LINDSTROM, JR., State Bar Number 88753, 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 three years subject to the following conditions:

1. CARL ALFRED LINDSTROM, JR., is suspended from the practice of law for the first six months of probation;
2. CARL ALFRED LINDSTROM, JR., 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 January 9, 2015; and
3. At the expiration of the period of probation, if CARL ALFRED LINDSTROM, JR., has complied with all conditions of probation, the period of stayed suspension will be satisfied and that suspension will be terminated.

CARL ALFRED LINDSTROM, 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. One-third of the costs must be paid with his membership fees for each of the years 2016, 2017, and 2018. If CARL ALFRED LINDSTROM, JR., 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.

**SUPREME COURT MINUTES
TUESDAY, MAY 5, 2015
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, May 5, 2015, at 9:00 a.m.

Present: Chief Justice Tani Cantil-Sakauye, presiding, and Associate Justices Werdegar, Chin, Corrigan, Liu, Cuéllar, and Kruger.

Officers present: Frank A. McGuire, Clerk, Jorge Navarrete, Assistant Clerk Administrator, and Gail Gray, Calendar Coordinator.

S199119 Gil Sanchez, Plaintiff and Respondent,
 v.
 Valencia Holding Company, LLC, Defendant and Appellant.

Cause called. Robert A. Olson argued for Appellant.
Hallen D. Rosner argued for Respondent.

Mr. Olson replied.
Cause submitted.

S211645 J.R. Marketing, L.L.C., Cross-complainant and Appellant,
 v.
 Hartford Casualty Insurance Company et al., Cross-defendants and
 Respondents.

***[TO BE CALLED AND CONTINUED TO THE LATE MAY OR JUNE 2015
ORAL ARGUMENT CALENDAR]***

S210804 Even Zohar Construction and Remodeling, Inc., Plaintiff and Appellant,
v.
Bellaire Townhouses, LLC et al., Defendants and Respondents.

Cause called. Paul D. Fogel argued for Respondents.
J. Daniel Sharp, argued for Appellant.

Mr. Fogel replied.
Cause submitted.

Court recessed until 1:30 p.m. this date.

Court reconvened pursuant to recess.
Members of the court and officers present as first shown.

S215050 In re the Marriage of Sheryl Jones Davis and Keith Xavier Davis.

Sheryl Jones Davis, Respondent,
v.
Keith Xavier Davis, Appellant.

Cause called. Stephanie J. Finelli argued for Appellant.
Lilia E. Duchrow argued for Respondent.

Ms. Finelli replied.
Cause submitted.

S107782 In re
David Esco Welch
on Habeas Corpus.

Cause called. Wesley A. Van Winkle, Court-appointed Counsel,
argued for Petitioner.
Catherine A. Rivlin, Office of the Attorney General, argued for
Respondent.

Mr. Van Winkle replied.
Cause submitted.

S051342

The People, Plaintiff and Respondent,
v.
John Cunningham, Defendant and Appellant.

Cause called. Mordecai Garelick, Court-appointed Counsel,
argued for Appellant.
Ronald A. Jakob, Office of the Attorney General, argued for Respondent.

Mr. Garelick replied.
Cause submitted.

Court recessed until Wednesday, May 6, 2015, at 9:00 a.m.