

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 16, 2008
SAN FRANCISCO, CALIFORNIA**

S161190	B193500 Second Appellate District, Div. 2	COMMUNITIES FOR A BETTER SOUTH COAST AIR QUALITY DISTRICT (CONOCOPHILLIPS COMPANY)
ENVIRONMENT v. MANAGEMENT		

Petition for review granted (civil case)
George, C. J., was absent and did not participate.
Kennard and Corrigan, JJ., were recused and did not participate.
Votes: Werdegar, A. C. J., Baxter, Chin, and Moreno, JJ.

S160709	B190205/B194024 Second Appellate District, Div. 2	PEOPLE v. NICHOLS (BRANDON CHARLES)
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Review granted/briefing deferred (8.512(d)(2) criminal case)
Appellant Fuller's petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Towne*, S125677, and *People v. Nguyen*, S154847 (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.
Appellant Nichols' petition for review is denied.
George, C. J., was absent and did not participate.
Votes: Werdegar, A. C. J., Kennard, Baxter, Chin, Moreno, and Corrigan, JJ.

S159618	E040767 Fourth Appellate District, Div. 2	PEOPLE v. MARTINEZ (CHRISTOPHER BENJAMIN)
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Petitions for review denied
George, C. J., was absent and did not participate.

S160477 B194330 Second Appellate District, Div. 1

**PEOPLE v. MARTINEZ
(RICARDO)**

Petition for review denied

George, C. J., was absent and did not participate.

S160545 C053816/C053922 Third Appellate District

**PEOPLE v. KIRCHNER
(KRISTOPHER)**

Petitions for review denied

George, C. J., was absent and did not participate.

S160606 B192468 Second Appellate District, Div. 6

PEOPLE v. MOMOH (AZEEZ)

Petition for review denied without prejudice to any relief the defendant might be entitled to after the United States Supreme Court decides *Oregon v. Ice*, No. 07-901, cert. granted March 17, 2008.

George, C. J., was absent and did not participate.

S160615 D047707/D049686 Fourth Appellate District, Div. 1 **PEOPLE v. DEBERRY
(WAYNE P.)**

Petition for review denied

George, C. J., was absent and did not participate.

S160686 C053765 Third Appellate District

**PEOPLE v. RILEY (DONALD
WAYNE)**

Petition for review denied

George, C. J., was absent and did not participate.

S160691 B192952 Second Appellate District, Div. 7

**PEOPLE v. JEFFERSON
(KEVIN)**

Petitions for review denied

George, C. J., was absent and did not participate.

S160717 B188942 Second Appellate District, Div. 3

**PEOPLE v. ROBERTS
(RONALD EUGENE)**

Petition for review denied

George, C. J., was absent and did not participate.

S160718 E041709 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. BLAIR (MARK STEVEN)

S160724 B191411 Second Appellate District, Div. 7

Petitions for review denied

George, C. J., was absent and did not participate.

PEOPLE v. GARCIA (CARLOS GUADALUPE)

S160754 C052801 Third Appellate District

Petitions for review denied

George, C. J., was absent and did not participate.

PEOPLE v. CURRY (DWAYNE MICHAEL)

S160761 B193377 Second Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. ESPARZA (THOMAS)

S160775 B195902 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. HAGAN (THEODORE J.)

S160780 D050438 Fourth Appellate District, Div. 1

Petitions for review denied

George, C. J., was absent and did not participate.

PEOPLE v. SANCHEZ (FRANK)

S160793 B204259 Second Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

RICHARDS (DANIEL) ON H.C.

S160807 B192381 Second Appellate District, Div. 3
Petition for review denied
George, C. J., was absent and did not participate.

PEOPLE v. MUNOZ (LUIS)

S160808 C054337 Third Appellate District

Petition for review denied
George, C. J., was absent and did not participate.

**PEOPLE v. HERNANDEZ
(JULIO)**

S160837 A116504 First Appellate District, Div. 2
Petition for review denied
George, C. J., was absent and did not participate.

J. (KENNETH), IN RE

S160839 E044965 Fourth Appellate District, Div. 2
Petition for review denied
George, C. J., was absent and did not participate.

MCFARLAND (IAN) ON H.C.

S160856 A116578 First Appellate District, Div. 5
Petition for review & depublication request(s) denied
George, C. J., was absent and did not participate.

PEOPLE v. HUA (JOHN)

S160862 E041427/E041764 Fourth Appellate District, Div. 2

Petition for review & publication request(s) denied
George, C. J., was absent and did not participate.

**YANG (KEVIN JEN-KANG) v.
BUCH (ROBERT)**

S160874 A117021 First Appellate District, Div. 5

Petition for review denied
George, C. J., was absent and did not participate.

**PEOPLE v. GAY (CHARLES
LLOYD)**

S160876 B193121 Second Appellate District, Div. 1 **PEOPLE v. RUIZ (GEORGE)**

Petitions for review denied

Appellant Ruiz's petition for review is denied.

Appellant Lindberg's petition for review is denied without prejudice to any relief to which he might be entitled after this court decides *People v. Nguyen*, S154847.

George, C. J., was absent and did not participate.

S160877 C057942 Third Appellate District

**CONARD (PATRICK M.) ON
H.C.**

Petition for review denied

George, C. J., was absent and did not participate.

S160879 A115911 First Appellate District, Div. 5

**PEOPLE v. ERICKSON (JAN
LAWRENCE)**

Petition for review denied

George, C. J., was absent and did not participate.

S160882 F050431 Fifth Appellate District

**PEOPLE v. SAECHAO (LO
KUAN)**

Petition for review denied

George, C. J., was absent and did not participate.

S160887 D052374 Fourth Appellate District, Div. 1

**PERRY AUTOMOTIVE
GROUP, INC. v. S.C. (BOYD)**

Petition for review denied

George, C. J., was absent and did not participate.

S160890 B204332 Second Appellate District, Div. 1

**IV SOLUTIONS v. HEALTH
NET LIFE INSURANCE
COMPANY**

Petition for review denied

George, C. J., was absent and did not participate.

S160900 D049042 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. MANLEY
(SHEILA MARITA)**

S160905 D051704 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**MUHAMMAD (KWESI
KHARY) ON H.C.**

S160937 C057809 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

STEELE (CLAUDE) ON H.C.

S160950 C052662 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CLEMENS
(LANCE DEE)**

S160951 B205088 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**GREENWOOD (GEORGE G.)
ON H.C.**

S160963 B202375 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

WHITE (ROY) ON H.C.

S160976 B189206 Second Appellate District, Div. 5

Petitions for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DAYOT (JEROME
B.)**

S160979 B195618 Second Appellate District, Div. 7
Petition for review denied
George, C. J., was absent and did not participate.

PEOPLE v. CARO (PEDRO)

S160983 A120538 First Appellate District, Div. 3
Petition for review denied
George, C. J., was absent and did not participate.
Chin, J., was recused and did not participate.

TAYLOR (PETER) ON H.C.

S160994 B204895 Second Appellate District, Div. 3

Petition for review denied
George, C. J., was absent and did not participate.

**DURAN (CARLOS ALBERT)
ON H.C.**

S161000 B198622 Second Appellate District, Div. 4

Petition for review denied
George, C. J., was absent and did not participate.

**DE BRUYN (RUDOLF
ANDRE) v. S.C. (FARMERS
GROUP, INC.)**

S161010 H030146 Sixth Appellate District

Petition for review denied
George, C. J., was absent and did not participate.

**MURRAY'S IRON WORKS,
INC. v. BOYCE (PHILLIP R.)**

S161012 A120156 First Appellate District, Div. 4

Petition for review denied
George, C. J., was absent and did not participate.

**KLEIN (RAMON ROBERTO)
ON H.C.**

S161021 B197970 Second Appellate District, Div. 8
Petition for review denied
George, C. J., was absent and did not participate.

NARVAEZ (VIRGIL) ON H.C.

S161024 B193120 Second Appellate District, Div. 8

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. NARVAEZ
(VIRGIL PINERO)**

S161046 G039007 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**CAZELLY (CARLOS) ON
H.C.**

S161096 B205212 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**CASTILLO (FRANCISCO P.)
ON H.C.**

S161107 C058082 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**CEBALLOS (FRANCISCO)
ON H.C.**

S161112 D050449 Fourth Appellate District, Div. 1

DISTRICT

Petition for review & depublication request(s) denied

George, C. J., was absent and did not participate.

**MCLEOD (JERRY) v. VISTA
UNIFIED SCHOOL**

S161114 G037159 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

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

**C. (JAMES M. & CHRISTINE
J.), MARRIAGE OF**

S161136 F054587 Fifth Appellate District
JAMES)

Petition for review denied

**ENGLAND (RONALD
ON H.C.**

George, C. J., was absent and did not participate.
S161195 C056744 Third Appellate District

Petition for review denied
George, C. J., was absent and did not participate.

S161209 B201945 Second Appellate District, Div. 2
Petition for review denied
George, C. J., was absent and did not participate.

S161224 F051781 Fifth Appellate District

Petition for review denied
George, C. J., was absent and did not participate.

S161283 B186504 Second Appellate District, Div. 3

Petition for review denied
George, C. J., was absent and did not participate.

S161309 F052028 Fifth Appellate District

Petition for review denied
George, C. J., was absent and did not participate.

S161325 G037906 Fourth Appellate District, Div. 3

Petition for review denied
George, C. J., was absent and did not participate.

S161366 E042815 Fourth Appellate District, Div. 2

Petition for review denied
George, C. J., was absent and did not participate.

PEOPLE v. KIMBLE (DAVID IRWIN)

KING (FRANKIE L.) ON H.C.

**SENTRY SELECT
INSURANCE COMPANY v.
PEEL (ELIZABETH ANN)**

**OVANDO (JAVIER F.) v.
COUNTY OF LOS ANGELES**

**PEOPLE v. HAUSMANN
(ROGER DANA)**

**PEOPLE v. ARCIGA
(EDWARD RENE)**

PEOPLE v. YOUNG (SAMMIE JOE)

S161376 F053595 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

Baxter, J., was recused and did not participate.

DE LOS SANTOS (BENJAMIN R.) ON H.C.

S161390 C058115 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

HAYES, JR., (BLUFFORD) v. S.C. (PEOPLE)

S161395 D050139 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. BROWN (DAVID C.)

S161488 B195820 Second Appellate District, Div. 7

Petition for review denied

George, C. J., was absent and did not participate.

YOON (THEODORE C.) v. CHOI (MEE HEE SUNNY)

S161537 G038194 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

M. (MARCO), IN RE

S161551 B195650 Second Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. LEWIS (NATHANIEL)

S161559 F052147 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

SILVEIRA (KATHLEEN A.), CONSERVATORSHIP OF

S161572 D049261 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. RODRIGUEZ
(DAVID)**

S161573 C057527 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**REDDING (JOHN) v.
WORKER'S
COMPENSATION APPEALS
BOARD (CITY OF ROCKLIN)**

S161578 D050396 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. DE LA TOBA
(RAUL)**

S161580 D049810 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. ESQUERA
(ADRIAN)**

S161582 C053741 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. KARELAS
(RICHARD LEE)**

S161583 B171844 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. COX (DIANA L.)

S161584 H030836 Sixth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. JUAREZ (TONY)

S161587 B193533 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. HICKS (JAMES RILEY)

S161589 B188487 Second Appellate District, Div. 8

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. BUCKHALTER (LANDES)

S161601 F051840 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. SHELTON (LESLEY DALE)

S161607 G038016 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

ZAHN (JOHN C.) v. AAMES HOME LOAN COMPANY

S161612 D052309 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

CALIFORNIA FRANCHISE TAX BOARD v. S.C. (ROHR, INC.)

S161616 D050384 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. SMITH (JAMES CLIFFORD)

S161623 H032612 Sixth Appellate District

Petition for review denied

HUNTER (MICHAEL) ON H.C.

George, C. J., was absent and did not participate.

S161626 A115283 First Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. CARLSEN (ERIC LEE)

S161627 B194705 Second Appellate District, Div. 8

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. GRAY (LEWIS)

S161635 D049705 Fourth Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. SCHWARTZ (NICHOLAS JAMES)

S161640 C051061 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

BARE (ROBERT) v. LAKE SHASTINA COMMUNITY SERVICES DISTRICT

S161642 A117045 First Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

L. (J.), IN RE

S161647 E042246 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

LANDA (CURTIS) v. DEPARTMENT OF CORRECTIONS & REHABILITATION

S161648 E042054 Fourth Appellate District, Div. 2

Petition for review & depublication request(s) denied

GARRETT (WILLIAM EARL), ESTATE OF

George, C. J., was absent and did not participate.

S161649 A116719 First Appellate District, Div. 5
Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. SILK (MARK)

S161654 B187624 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was absent and did not participate.

**GNESDA (MICHAEL) v.
UNITED PARCEL SERVICE**

S161660 B205923 Second Appellate District, Div. 7
Petition for review denied

George, C. J., was absent and did not participate.

BULPITT (DONALD) ON H.C.

S161661 C052249 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. HILL (RYLAND
GEORGE)**

S161667 B205717 Second Appellate District, Div. 3
Petition for review denied

George, C. J., was absent and did not participate.

ESTRADA (FRANK) ON H.C.

S161668 E041115 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. WEATHERSPOON
(MOSE)**

S161674 G037608 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CONSTANTINO
(NUVIA JEANNETH)**

S161680 F052576 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. ATTEBURY
(RAYLON SHANE)**

S161681 A116235 First Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. SHEPHERD
(JEFFREY MICHAEL)**

S161694 B196463 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

PEOPLE v. DIAZ (JERRY)

S161697 B190373 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. GALANTE
(ROBERT)**

S161702 B182014 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. PEREZ (PEDRO
CASTRO)**

S161704 E042680 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. WELCH
(RICQUEL R.)**

S161707 C053484 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. CLARK
(MARKESE)**

S161711 B194331 Second Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. KENDRID
(DAMEIN JEROME)**

S161713 C054332 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. O'ROURKE
(JAMES)**

S161714 B198474 Second Appellate District, Div. 6

Petition for review denied

George, C. J., was absent and did not participate.

**BOWEY (JANINA W.),
ESTATE OF**

S161719 C053755 Third Appellate District

Petition for review denied

The request for judicial notice as to Exhibit A is granted.

The request for judicial notice as to Exhibit B is denied.

George, C. J., was absent and did not participate.

**STEARNS (SHARON &
TIMOTHY), MARRIAGE OF**

S161720 C056104 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. SOBEY (JOHN
ERNEST)**

S161721 G037401 Fourth Appellate District, Div. 3

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. REILLY
(MICHAEL JAMES)**

S161722 B197487 Second Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. GONZALEZ
(PATRICIA)**

S161724 C054584 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. OLIVER
(DONALD JAMES)**

S161728 B196979 Second Appellate District, Div. 5

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. MOORE
(PATRICK)**

S161738 F048297 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. MARTIN (TERRY
PAUL)**

S161749 C058236 Third Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

**CHANG (STU) v. S.C.
(JOHNSON)**

S161774 F051684 Fifth Appellate District

Petition for review denied

George, C. J., was absent and did not participate.

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

S161775 B204305 Second Appellate District, Div. 4

Petition for review denied

George, C. J., was absent and did not participate.

**WHITLOCK (STEPHEN) v.
S.C. (FRIEDEL)**

S161784 E041868 Fourth Appellate District, Div. 2

Petition for review denied

George, C. J., was absent and did not participate.

**PEOPLE v. MORENO
(OSCAR CARDENAS)**

S161834

Petition for writ of error coram vobis denied

George, C. J., was absent and did not participate.

**PEOPLE v. PATTERSON
(VESTER LEE)**

S155062

ON

Petition for writ of habeas corpus denied

The request for judicial notice is granted.

George, C. J., was absent and did not participate.

**MOMON (BOBBY LEWIS)
H.C.**

S156153

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

FLORES (DAMON) ON H.C.

S156219

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

TSE (HON KEUNG) ON H.C.

S156402

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

CASAS (LEANDRO) ON H.C.

S156680

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., was absent and did not participate.

**GONZALEZ (FRANCISCO)
ON H.C.**

S156824

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S156869

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
George, C. J., was absent and did not participate.

S156942

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157006

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)
George, C. J., was absent and did not participate.

S157014

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157030

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157046

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**MILLER (BYRON
FREDERICK) ON H.C.**

**MATKIN (CARMEN DIANE)
ON H.C.**

GARRIDO (JOSE) ON H.C.

GARRIDO (JOSE) ON H.C.

**GREGORY (ERIC SION) ON
H.C.**

**MARTINEZ (CARLOS) ON
H.C.**

**PHAYSALEUM (JACKSON)
ON H.C.**

S157052

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157066

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157087

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157096

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157097

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157256

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157287

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

POOL (DERRICK) ON H.C.

**HENNAGAN (THOMAS
LE'ROY) ON H.C.**

**TRUMBLE (EDWARD
JAMES) ON H.C.**

TRUAX (DONALD J.) ON H.C.

PARK (KENITH) ON H.C.

FOWLIE (BRIAN) ON H.C.

VUONG (DAVID) ON H.C.

S157303

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
George, C. J., was absent and did not participate.

S157306

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157309

H.C.
Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157311

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157326

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157393

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)
George, C. J., was absent and did not participate.

S157401

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**CLAVANO (AMANDO Z.) ON
H.C.**

**HEROD (ANTHONY T.) ON
H.C.**

AREIZAGA (ULISES) ON

**KARAPETYAN (GAGIK) ON
H.C.**

**BENNETT (DAVID SHAUN)
ON H.C.**

UHURU (DIALLO E.) ON H.C.

**MORRISETT (STEVEN
EDWARD) ON H.C.**

George, C. J., was absent and did not participate.
S157430

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157431
Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157432
Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157436
Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
George, C. J., was absent and did not participate.

S157442
ON
Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157444
Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157449
Petition for writ of habeas corpus denied

**LEON (GABRIEL ANTHONY)
ON H.C.**

LACEY (ROBERT) ON H.C.

**ADAMS (BENJAMIN) ON
H.C.**

**JACKSON (CURTIS RENEE)
ON H.C.**

**VALDEZ (FELIBERTO A.)
H.C.**

**ALEXANDER (DARRYL
KEITH) ON H.C.**

**MCDOWELL (JOSEPH
DEON) ON H.C.**

George, C. J., was absent and did not participate.

S157450

VICTOR)

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**LARSON (EDWARD
ON H.C.**

S157452

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C. J., was absent and did not participate.

**MENDIOLA (MARCOS) ON
H.C.**

S157455

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**TAYLOR (JOHN TERRELL)
ON H.C.**

S157456

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**MEEKS (WILLIAM BRIAN)
ON H.C.**

S157460

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

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

S157463

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**ZAVALA (ISMAEL
CERVANTEZ) ON H.C.**

S157465

Petition for writ of habeas corpus denied

**MARTINEZ (ANTHONY
LOPEZ) ON H.C.**

George, C. J., was absent and did not participate.

S157466

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

MORALES (BRYAN) ON H.C.

S157467

ON

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**LEGRANDE, JR., (REYES)
H.C.**

S157472

Petition for writ of habeas corpus denied

George, C. J., was absent and did not participate.

**HERNANDEZ (RODRIGO
VASQUEZ) ON H.C.**

S157474

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., was absent and did not participate.

**MCKEEVER (JERRY
LAMAR) ON H.C.**

S157480

ON

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., was absent and did not participate.

**LAGUNA (RALPH ADAM)
H.C.**

S157506

Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C. J., was absent and did not participate.

**FARFAN (MICHAEL LOUIS)
ON H.C.**

S157513

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**EDSALL, SR., (JOHN A.H.)
ON H.C.**

S157526

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

CANO (GABRIEL) ON H.C.

S157528

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**MORENO (JUAN MANUEL)
ON H.C.**

S157532

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**NGUYEN (DUNG VAN) ON
H.C.**

S157539

Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218.)
George, C. J., was absent and did not participate.

**LECHUGA (LARRY
MANUEL) ON H.C.**

S157545

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
George, C. J., was absent and did not participate.

**BERMUDEZ (RADAMES
ECHEVERRIA) ON H.C.**

S157551

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**LEWIS (PAUL FREEMAN)
ON H.C.**

S157553

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157557

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157563

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157568

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157570

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157571

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)
George, C. J., was absent and did not participate.

S157573

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**GUERRERO (JAMIE L.) ON
H.C.****MEDINA (RAY) ON H.C.****XAVIER (GARY RAYMOND)
ON H.C.****CLARK (NATHAN A.) ON
H.C.****ALVIZURI (CARLOS J.) ON
H.C.****STEVENSON (GENGHIS
KHAN A.) ON H.C.****GREEN (IRA) ON H.C.**

S157575**ADAMS (KENNETH J.) ON
H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157578**HARPER (SHADEVEN
JASON) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)
George, C. J., was absent and did not participate.

S157579**MCKINNEY (ALONZO) ON
H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157588**SANTOS (ISAAC GARCIA)
ON H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157589**BERNAL (RAUL IVAN) ON
H.C.**

Petition for writ of habeas corpus denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Gomez*, S155425: whether a habeas corpus petitioner whose conviction became final after *Blakely v. Washington* (2004) 542 U.S. 296 but before *Cunningham v. California* (2007) 549 U.S. ___, 127 S.Ct. 856, is entitled to the benefit of the high court's decision in *Blakely*.
George, C. J., was absent and did not participate.

**S157610
H.C.****CEJAS (ANDREW A.) ON**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S157611

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**ADAMS (TIMOTHY SCOTT)
ON H.C.****S157615**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**WILLIAMS (ANTONIO) ON
H.C.****S157621**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**WOFFINDEN (SAMUEL
THOMAS) ON H.C.****S157831**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)
George, C. J., was absent and did not participate.

MURO (JOSEPH B.) ON H.C.**S157833**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**KELLY (RICHARD W.) ON
H.C.****S157843**

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)
George, C. J., was absent and did not participate.

**ALDAPE (ALEJANDRO) ON
H.C.**

S157861

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**MCKINNIE (CYNEQUIA V.)
ON H.C.**

S157864

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

LIRA, JR., (JERRY) ON H.C.

S157888

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**CAVAZOS (ROBERT EDEN)
ON H.C.**

S157892

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**CLAYBURN (RICKY) ON
H.C.**

S158211

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**ADAMS (BENJAMIN) ON
H.C.**

S158986

Petition for writ of habeas corpus denied
(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)
George, C. J., was absent and did not participate.

**CLAYBURN (RICKY
BERNARD) ON H.C.**

S159896

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)
George, C. J., was absent and did not participate.

CLARK (NATHAN) ON H.C.

S160531**KELLAM (VINCENT) ON
H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S161772**BUTLER (THEODORE) ON
H.C.**

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)
George, C. J., was absent and did not participate.

S161783**FREE (MARCELLUS) ON
H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S161878**WILHELM (STEVE H.) ON
H.C.**

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

S161954**O'SHELL (DAVID) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
George, C. J., was absent and did not participate.

S161967**MUKATIN (SAGI) ON H.C.**

Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921.)
George, C. J., was absent and did not participate.

S162001

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**THATCHER (DAVID) ON
H.C.**

S162055

Petition for writ of habeas corpus denied
George, C. J., was absent and did not participate.

**FIELDS (REGINALD) ON
H.C.**

S162130

Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)
George, C. J., was absent and did not participate.

SCOTT (MAURICE) ON H.C.

S162393

Petition for writ of habeas corpus denied
(See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)
George, C. J., was absent and did not participate.

**DAVIN (REGINALD VAL) ON
H.C.**

S160564 B194325 Second Appellate District, Div. 2

Publication request denied (case closed)
George, C. J., was recused and did not participate.

**DISNER (ELIOT G.) v.
MANNAT, PHELPS &
PHILLIPS LLP**

S160449 F051748 Fifth Appellate District

The time for granting or denying review in the above-entitled matter is hereby extended to
May 20, 2008.

**PEOPLE v. MEDINA, JR.,
(JOHN PEREZ)**

S160965 E044622 Fourth Appellate District, Div. 2 **PEOPLE v. S.C. (MURPHY)**

The time for granting or denying review in the above-entitled matter is hereby extended to
May 19, 2008.

S160989 G037415 Fourth Appellate District, Div. 3 **PEOPLE v. NGUYEN
(LUONG)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 20, 2008.

S160995 A113388 First Appellate District, Div. 4 **LAMBERT (WINSTON) v.
CARNEGHI (CHRIS)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 20, 2008.

S160999 B195068 Second Appellate District, Div. 6 **H. (JONATHAN), IN RE**
The time for granting or denying review in the above-entitled matter is hereby extended to May 21, 2008.

S161018 D050095 Fourth Appellate District, Div. 1 **PEOPLE v. DAVALOS
(DIEGO)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 20, 2008.

S161044 H030020 Sixth Appellate District **PEOPLE v. STORY (GARY
DEAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 21, 2008.

S161149 B186613 Second Appellate District, Div. 2 **PEOPLE v. BOWDEN
(CHARLES)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 22, 2008.

S161185 B198082 Second Appellate District, Div. 6 **PEOPLE v. BAKER (TANITA
MARIE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 22, 2008.

S153345**BOX (CHRISTOPHER) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Rebecca P. Jones's representation that she anticipates filing the reply to the informal response to the petition of writ of habeas corpus by August 2008, counsel's request for an extension of time in which to file that document is granted to June 25, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S153917 G036562 Fourth Appellate District, Div. 3**PEOPLE v. DUFF (JAMES
EDWARD)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to April 28, 2008.

S157645 C053878 Third Appellate District**PEOPLE v. RANDALL
(ROBERT BERT)**

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 14, 2008. No further extensions of time are contemplated.

S157932 D049566 Fourth Appellate District, Div. 1**PEOPLE v. CEJA (RAFAEL)**

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 May 20, 2008.

S161358**MEZHBEIN (ALEXANDER)
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 April 23, 2008. No further extensions will be contemplated.

S154847**PEOPLE v. NGUYEN (VINCE
VINTHUONG)**

Permission to file amicus curiae brief granted

The application of California Public Defenders Association for permission to file an oversized amicus curiae brief in support of appellant is hereby granted. An answer thereto may be served and filed by any party within 20 days of the filing of the brief.

S058092**PEOPLE v. HARRIS
(MAURICE LYDELL)**

Motion for access to sealed record granted

Appellant's "application for an order allowing undersigned counsel to inspect and copy transcripts sealed for the benefit of appellant," filed on March 17, 2008, in which the appellant requests access to and permission to copy the sealed second supplemental clerk's transcript, pages 16 through 224, of his record on appeal, is granted. (Cal. Rules of Court, rule 8.328 (c)(6).) Counsel must supply the personnel and equipment necessary to undertake this review and copying of the records, which must occur on the premises of the court. Use of such materials is limited to any petition for writ of habeas corpus challenging the lawfulness of confinement pursuant to the underlying judgment of death. To the extent the parties quote or describe such materials in court papers, those papers must themselves be filed or lodged under seal. The materials referred to the above are to remain under seal.

George, C. J., was absent and did not participate.

S004550**PEOPLE v. ROBERTS
(LARRY H.)**

Motion denied

The motion of Deputy Attorney General Glenn R. Pruden, filed on October 21, 2003, to unseal the in camera declaration of Charles R. B. Kirk, Deputy Attorney General, is denied because the Kirk declaration is not in the records of this court. This denial is without prejudice to the Attorney General's moving the Solano County Superior Court to unseal the record. (Cal. Rules of Court, rule 2.551(h).)

George, C. J., was absent and did not participate.

S024471**PEOPLE v. WATSON (PAUL
GREGORY)**

Order filed

The order appointing Michael G. Millman, as Executive Director of the California Appellate Project, to serve as an interim habeas corpus/executive clemency counsel of record for appellant Paul Gregory Watson, filed on February 28, 2001, is hereby vacated.

Geraldine S. Russell is hereby appointed to represent appellant Paul Gregory Watson for habeas corpus/executive clemency proceedings related to the above automatic appeal now pending in this court.

Any “petition for writ of habeas corpus will be presumed to be filed without substantial delay if it is filed ... within 36 months” of this date (Supreme Ct. Policies Regarding Cases Arising From Judgments of Death, policy 3, timeliness std. 1-1.1), and it will be presumed that any successive petition filed within that period is justified or excused (see *In re Clark* (1993) 5 Cal.4th 750, 774-782), in light of prior habeas corpus/executive clemency counsel Francis Breidenbach’s declaration, in support of his motion to withdraw, to the effect that he was unable to discharge his duty to investigate and, if appropriate, present a habeas corpus petition on behalf of appellant Paul Gregory Watson, and this court’s delay in appointing replacement habeas corpus/executive clemency counsel.

George, C. J., was absent and did not participate.

S049626

**PEOPLE v. HAJEK
(STEPHEN EDWARD) & VO
(LOI TAN)**

Order filed

Appellant Hajek’s “motion for permission to file a second supplemental opening brief” and “application and declaration for leave to file appellant's second supplemental opening brief exceeding 2,800 words” are granted.

S055024

**SUSPENSION -- NON-
COMPLIANCE**

Order filed

BILL JAY WEIR, JR., #98824, was listed by the State Department of Child Support Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate local child support agency. He has subsequently been identified by the Department of Child Support Services as again being delinquent. Pursuant to Rule 9.22 of the California Rules of Court, it is hereby ordered that BILL JAY WEIR, JR., be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after May 9, 2008; it is further ordered that upon receipt by the State Bar of California of a release issued by the appropriate local child support agency pursuant to Family Code 17520, the State Bar shall certify the fact of the receipt of such release to the clerk of the Supreme Court and the suspension shall be terminated by order of this court and he shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto; it is further ordered that until restored as above provided, he shall be precluded from practicing as an attorney at law, or an attorney or agent of another in and

before all the courts, commissions, and tribunals of this state, and from holding himself out to the public as an attorney or counsel at law.

S058528/S060781

MIRANDA (ADAM) ON H.C.

Motion denied

Respondent's "motion to strike declarations filed in support of petitioner's response to respondent's brief on the merits," filed on September 27, 2002, is denied as moot. Respondent's request, contained in a letter to this court received on January 29, 2008, and entitled "additional authorities that may be cited at oral argument on February 6, 2008," that this court take judicial notice of facts assertedly contained in nine published opinions listed in that letter, is denied.

(*Quelimane Co. v. Stewart Title Guaranty Co.* (1998) 19 Cal.4th 26, 46.)

Petitioner's "motion to strike respondent's letter brief served on January 25, 2008," filed on January 29, 2008, is denied as moot.

George, C. J., was absent did not participate.

S079179

PEOPLE v. BACON (ROBERT ALLEN)

Order filed

Appellant's "request to file a supplemental reply brief in excess of 2,800 words" is granted.

S160367

B197993 Second Appellate District, Div. 2

SNYDER (MARY HUTTON) v. S.C. (CATERPILLAR, INC.)

Order filed

The order filed on April 9, 2008, denying the petition for review is amended to read, in its entirety:

"The petitions for review are denied.

Kennard, Chin, and Corrigan, JJ., were recused and did not participate."

B207020

Second Appellate District, Div. 6

NUNEZ (TIMOTHY) ON H.C.

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, Division Six, is transferred to the Court of Appeal, Sixth Appellate District.

