

Sixth Appellate District

San Jose, California

MONDAY, MAY 5, 2008

(no minute approved orders)

TUESDAY, MAY 6, 2008

The following cases are submitted this date:

H030788 PEOPLE v. HUGHES
H031630 PEOPLE v. MARTINEZ
H031345 LANE v. CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
H031912 PEOPLE v. CAMACHO
H031906 PEOPLE v. SALEM
H031868 PEOPLE v. WALLACE
H031867 PEOPLE v. LOPEZ
H031860 PEOPLE v. STARRETT
H031842 PEOPLE v. FRASER
H031855 PEOPLE v. ROSE
H032108 GRIFFITH v. MONTEREY COUNTY SHERIFF'S DEPT., ET AL.
H032043 PEOPLE v. VIGIL
H032224 PEOPLE v. MITCHELL
H031365 PEOPLE v. KNIGHT
H031729 PEOPLE v. CONNELLY
H032111 PEOPLE v. ADDISON
H032283 PEOPLE v. FLOWERS
H031819 PEOPLE v. LOPEZ
H032430 PEOPLE v. DAVIS
H031406 PEOPLE v. LARA

H031534 PEOPLE v. LOPEZ

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed May 6, 2008

H032119 PEOPLE v. MARTINEZ

The judgment is affirmed. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed May 6, 2008

WEDNESDAY, MAY 7, 2008

H032244 In re ALEXUS R.; DFCS v. FELICIA G.

The order of the juvenile court is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Mihara, J.)
Filed May 7, 2008

Sixth Appellate District

San Jose, California

THURSDAY, MAY 8, 2008

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and Jane Valdez Flor, Deputy Clerk.

H031660 PEOPLE v. OLSEN, et al.

Cause called and argued by Maureen L. Fox appearing for Appellant and by John H. Deist, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H030415 PEOPLE v. LEAL

Cause called and argued by Steven Samuel Lubliner appearing for Appellant and by Arthur Beever, Deputy Attorney General, appearing for Christopher Wei, Deputy Attorney General, on behalf of Respondent. Cause ordered submitted.

Premo, J. leaves the bench and Duffy, J. takes the bench.

H031714 LOS ALTOS GOLD AND COUNTRY CLUB, et al. v. COUNTY OF SANTA CLARA, et al.

Cause called and argued by Gregory Kent Klingsporn appearing for Appellants and by Jolie Houston appearing for Respondents. Cause ordered submitted.

Rushing, P.J. leaves the bench and Premo, Acting P.J. takes the bench.

H032114 CYPRESS SEMICONDUCTOR CORPORATION v. SUPERIOR COURT OF SANTA CLARA COUNTY (SILVACO DATA SYSTEMS)

Cause called and argued by Arturo Jorge Gonzalez appearing for Petitioner, Chris R. Ottenweller appearing for amicus curiae, Intel Corporation, and by Jill F. Kopeikin appearing for Real Party in Interest. Cause ordered submitted. Court adjourns.

H030938 PEOPLE v. MELERO

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed May 8, 2008

The following case is submitted this date:

H032315 PEOPLE v. ALBERT C.

H031273 WEI PAN v. SAFEWAY STORES, INC., et al.

The judgment is affirmed. In the interests of justice, the parties are to bear their own costs of appeal (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed May 8, 2008

Sixth Appellate District

San Jose, California

Thursday, May 8, 2008 (continued)

H030927 PEOPLE v. TALAMANTEZ

By the Court*:

Appellant's petition for rehearing is granted. The matter is hereby resubmitted.

Filed: May 8, 2008

*Before Bamattre-Manoukian, Acting P.J., McAdams, J. and Duffy, J.

H030927 PEOPLE v. TALAMANTEZ

The judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed May 8, 2008

H031979 PEOPLE v. ESTRADA

The April 8, 2008, abstract of judgment is ordered modified to reflect that the ordered restitution (§ 1202.4) and parole revocation restitution (§ 1202.45) fines are \$200 each. As so modified, the judgment is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed May 8, 2008

FRIDAY, MAY 9, 2008

H031390 PEOPLE v. GUZMAN

The March 22, 2007 probation order is reversed and the matter is remanded for determination of all mandatory fees, penalties and surcharges required by law. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed May 9, 2008

Sixth Appellate District

San Jose, California

Friday, May 9, 2008 (continued)

H031160 In re RAMOS on Habeas Corpus

The case is remanded to the superior court with the directions to modify its order granting Daniel Ramos's petition for writ of habeas corpus and remanding the matter to the Board of Parole Hearings for a new hearing. The order shall be modified to direct the Board of Parole Hearings to hold a new parole hearing in accordance with due process; to consider all relevant, reliable information available to the panel as required by California Code of Regulations, title 15, section 2281, subdivision (b); to afford individualized consideration of all parole suitability and unsuitability factors (Cal. Code Regs., tit. 15, § 2281); and if parole is denied, to articulate its reasons for finding Ramos unsuitable for parole. As modified, the order is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; I concur: McAdams, J.;
Concurring opinion by Mihara, J.)

Filed May 9, 2008