SUPREME COURT MINUTES
FRIDAY, AUGUST 8, 2008
SAN FRANCISCO, CALIFORNIA

S165742 E043914 Fourth Appellate District, Div. 2 **Z. (BRANDON), IN RE**
The time for granting review on the court's own motion is hereby extended to September 9, 2008. (Cal. Rules of Court, rule 8.512(c).)

S033149 **PEOPLE v. WEAVER (LATWON REGENIAL)**

Extension of time granted
Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the reply brief by September 10, 2009, counsel's request for an extension of time in which to file that brief is granted to October 7, 2008. After that date, only five further extensions totaling about 330 additional days will be granted.

S034800 **PEOPLE v. DEHOYOS (RICHARD LUCIO)**

Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender Gary D. Garcia's representation that he anticipates filing the appellant's opening brief by October 13, 2008, counsel's request for an extension of time in which to file that brief is granted to October 14, 2008. After that date, no further extension is contemplated.

S048440 **PEOPLE v. LIGHTSEY (CHRISTOPHER CHARLES)**

Extension of time granted
Good cause appearing, and based upon counsel Erik N. Larson's representation that he anticipates filing the appellant's reply brief by December 31, 2008, counsel's request for an extension of time in which to file that brief is granted to October 6, 2008. After that date, only two further extensions totaling about 85 additional days are contemplated.

S052374 **PEOPLE v. BROWN (STEVEN ALLEN)**

Extension of time granted
Good cause appearing, and based upon counsel Emry J. Allen's representation that he anticipates filing the appellant's opening brief by December 5, 2008, counsel's request for an extension of time in which to file that brief is granted to October 6, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S067394 **PEOPLE v. CAPISTRANO (JOHN LEO)**

Extension of time granted
Good cause appearing, and based upon Assistant State Public Defender Kathleen M. Scheidel's representation that she anticipates filing the appellant's reply brief by October 11, 2008, counsel's request for an extension of time in which to file that brief is granted to October 14, 2008. After that date, no further extension is contemplated.

S075727 **PEOPLE v. JOHNSON (CEDRIC JEROME)**

Extension of time granted
Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's opening brief by September 11, 2008, counsel's request for an extension of time in which to file that brief is granted to September 11, 2008. After that date, no further extension is contemplated.

S086234 **PEOPLE v. MILES (JOHNNY DUANE)**

Extension of time granted
Good cause appearing, and based upon counsel Peter Giannini's representation that he anticipates filing the appellant's opening brief by February 15, 2009, counsel's request for an extension of time in which to file that brief is granted to October 6, 2008. After that date, only two further extensions totaling about 130 additional days are contemplated.

S086355 **PEOPLE v. LEWIS, SR., (KEITH ALLEN)**

Extension of time granted
Good cause appearing, and based upon counsel Pamala Sayasane's representation that she anticipates filing the appellant's opening brief by December 2008, counsel's request for an extension of time in which to file that brief is granted to October 10, 2008. After that date, only one further extension totaling about 60 additional days is contemplated.

S086578 **PEOPLE v. LOOT (KENDRICK) & MILLSAP (BRUCE)**

Extension of time granted
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant Bruce Millsap's opening brief is extended to September 30, 2008.

S087533 **PEOPLE v. POPS (ASWAD) & WILSON (BYRON)**

Extension of time granted
Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing appellant Byron Wilson's opening brief by March 9, 2009, counsel's request for an extension of time in which to file that brief is granted to October 7, 2008. After that date, only three further extensions totaling about 150 additional days are contemplated.

S087560 **PEOPLE v. NADEY, JR., (GILES ALBERT)**

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 October 10, 2008.

S095223 **PEOPLE v. BLOOM (ROBERT MAURICE)**

Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender William T. Lowe's representation that he anticipates filing the appellant's opening brief by March 2009, counsel's request for an extension of time in which to file that brief is granted to October 14, 2008. After that date, only three further extensions totaling about 150 additional days will be granted.

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

Extension of time granted
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant Run Peter Chhoun's opening brief is extended to October 10, 2008.

S116882 **PEOPLE v. BURGENER (MICHAEL RAY)**

Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender Harry Gruber's representation that he anticipates filing the appellant's reply brief by October 13, 2008, counsel's request for an extension of time in which to file that brief is granted to October 14, 2008. After that date, no further extension is contemplated.

S134332 **GUERRA (JOSE FRANCISCO) ON H.C.**

Extension of time granted
Good cause appearing, and based upon counsel Barbara S. Saavedra's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 15, 2008, counsel's request for an extension of time in which to file that document is granted to October 15, 2008. After that date, no further extension is contemplated.

S159410 E040848 Fourth Appellate District, Div. 2 **PEOPLE v. COBB, JR., (ROY)**

Extension of time granted
On application of the respondent and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to September 26, 2008. No further extension of time is contemplated.

S163453 D050019 Fourth Appellate District, Div. 1 **PEOPLE v. LESSIE (TONY)**

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

S163811 B195197 Second Appellate District, Div. 5 **PEOPLE v. CONCHA (REYAS)**

Counsel appointment order filed
Upon request of appellant Julio Hernandez for appointment of counsel, Diana M. Teran is hereby appointed to represent appellant on the appeal now pending in this court.
Appellant's brief on the merits must be served and filed on or before 30 days from the date of this order.

S163811 B195197 Second Appellate District, Div. 5 **PEOPLE v. CONCHA (REYAS)**

Counsel appointment order filed
Upon request of appellant Reyas Concha for appointment of counsel, the California Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.
Appellant's brief on the merits must be served and filed on or before 30 days from the date of this order.

S164011 A117076 First Appellate District, Div. 5 **PEOPLE v. JACINTO (ARMANDO MONTER)**

Counsel appointment order filed
Upon request of appellant for appointment of counsel, the First District Appellate Project is hereby appointed to represent appellant on the appeal now pending in this court.
Appellant's brief on the merits must be served and filed on or before 30 days from the date of this order.

S131704 **WIENER ON DISCIPLINE**

Probation revoked
Good cause having been shown, it is hereby ordered that probation is revoked, the previously ordered stay of execution of suspension in the above entitled matter is lifted, and LEWIS R. WIENER, State Bar No. 41186, must be actually suspended from the practice of law for two years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice and present learning and ability in the law, pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Granting Motion to Revoke Probation and for Involuntary Inactive Enrollment filed on May 7, 2008. It is further ordered that LEWIS R. WIENER take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that LEWIS R. WIENER comply with rule 9.20 of the California Rules of Court, and that he 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.* Credit toward the period of actual suspension will be given for the period of involuntary inactive enrollment which commenced on May 10, 2008 (Business and Professions Code section 6007(d)(3)). 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.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S164135 **CLARK ON DISCIPLINE**

Recommended discipline imposed

It is ordered that STEPHEN CRAIG CLARK, State Bar No. 102064, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 2, 2008. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and one-third of said costs be paid with membership fees for the years 2009, 2010 and 2011. It is further ordered that if STEPHEN CRAIG CLARK fails to pay any installment of the disciplinary costs within the time provided herein or as may be modified by the State Bar Court pursuant to Business and Professions Code section 6086.10, subdivision (c), the remaining balance of the costs is due and payable immediately unless relief has been granted under the Rules of Procedure of the State Bar of California (Rules Proc. of State Bar, rule 286). The payment of costs is enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S164141 **CASTRO ON DISCIPLINE**

Recommended discipline imposed

It is ordered that ELISA ANN CASTRO, State Bar No. 171814, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be placed on probation for five years subject to the conditions of probation, including restitution, recommended by the Hearing Department of the State Bar Court in its Decision filed on April 15, 2008. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) 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.

S164143 **KONG ON DISCIPLINE**

Recommended discipline imposed

It is ordered that RICHTER WONG KONG, State Bar No. 96937, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. RICHTER WONG KONG is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed April 9, 2008. If RICHTER WONG KONG is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that RICHTER WONG KONG take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) 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.

S164153 **ESPINOZA ON DISCIPLINE**

Recommended discipline imposed

It is ordered that RICHARD ALLEN ESPINOZA, State Bar No. 74367, be suspended from the practice of law for two years and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of the suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 18 months and until he provides proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Credit toward the period of actual suspension must be given for the period of interim suspension which commenced on July 25, 2007. Respondent is further ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on March 17, 2008, as modified by its order filed April 24, 2008. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn.8.) Respondent is further ordered to 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.* It is ordered that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10, and be payable in equal installments prior to February 1 with membership fees for the next three billing cycles following the effective date of this order. It is further ordered that if respondent fails to pay any

installment within the time provided herein or as may be modified by the State Bar Court pursuant to section 6086.10, subdivision (c), the remaining balance of the costs is due and enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

Second Appellate District, Div. 5 **TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Second Appellate District, are transferred from Division Five to Division Four:

1.	B203388	Thomas M. Kunz v. Lloyd Harris
2.	B206268	Naveen Reddy v. Sujata Reddy

Second Appellate District, Div. 4 **TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Second Appellate District, are transferred from Division Four to Division Five:

1.	B206577	AZ3, Inc. v. 2525 Fruitland Associates LLC.
2.	B207847	AZ3, Inc. v. 2525 Fruitland Associates LLC.