SUPREME COURT MINUTES
MONDAY, NOVEMBER 19, 2001
SAN FRANCISCO, CALIFORNIA

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

B136925/S101076 People v. Eugene Penesa; In re Eugene Penesa on Habeas Corpus – December 28, 2001.

B150607/S101348 In re Teresa Acosta et al. on Habeas Corpus – January 12, 2002.

H022771/S101287 In re Armando Lujan Santana on Habeas Corpus – January 3, 2002.

S051342 People, Respondent
v.
John Cunningham, Appellant
On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including January 22, 2002, to request correction of the record on appeal. Counsel for appellant is ordered to serve a copy of the record correction motion on the Supreme Court upon its filing in the trial court.

S086474 In re Ralph Michael Yeoman
on
Habeas Corpus
On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's informal response to the petition for writ of habeas corpus is extended to and including December 10, 2001.

S097765 People, Respondent
v.
Arturo Garcia, Appellant

In re Arturo Garcia on Habeas Corpus
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's answer brief on the merits is extended to and including November 29, 2001.

S098233 Maurice Alford et al., Petitioners
v.
San Diego County Superior Court, Respondent
City of San Diego et al., Real Parties in Interest
On application of Real Party, The People, by the District Attorney of San Diego and good cause appearing, it is ordered that the time to serve and file The People's answer brief on the merits is extended to and including November 23, 2001.
No further extensions are contemplated.

S098409 Cimmaron Olszewski, Plaintiff and Appellant
v.
Scripps Health Net et al., Defendants and Respondents
On application of plaintiff and appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to and including December 28, 2001.
No further extensions of time will be granted.

S098660 Henry V. Lantzy et al., Plaintiffs and Appellants
v.
Centex Homes et al., Defendants and Respondents
On application of appellants and good cause appearing, it is ordered that the time to serve and file appellants' response brief on the merits is extended to and including December 28, 2001.

S099619 Ruth Sherman et al., Plaintiffs and Respondents
v.
Allstate Insurance Co., Defendant and Respondent
Michael Reese et al., Appellants
On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including December 27, 2001.

S102125 Elmer Walker, Petitioner
v.
Los Angeles County Superior Court, Respondent
People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

S102133 Alonzo Evans, Petitioner
v.
San Mateo County Superior Court, Respondent
People, Real Party in Interest

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

2nd Dist. Div. 3 Transfer Orders

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

B143168 Asset Management Systems, Inc. v. White, Zuckerman, Warslalvsky & Luna, et al.
B150790 The People v. Jonathan Booker Lott

2nd Dist. Div. 5 Transfer Orders

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

B143614 Ricardo Macchi v. Janet Jackson, et al.
B152152 The People v. Manuel Bulmes

2nd Dist. B147092 Div. 3 Alexander Gonchar et al.
v.
Samsung Deutschland GMbH

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

2nd Dist. B153423 Div. 2

The People
v.
Damion A.

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

2nd Dist. B153773 Div. 3

The People
v.
Cassandra M. Filer

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

Bar Misc. 4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S099345

In the Matter of the Suspension of Attorneys
Pursuant to Rule 962, California Rules of Court

Manuel Armando Rios, #146038, was listed by the State Department of Social Services as being in arrears in payment of support obligations. He later obtained the necessary release from the appropriate District Attorney. He has subsequently been identified by the Department of Social Services as again being delinquent. Pursuant to Rule 962(a) of the California Rules of Court, IT IS HEREBY ORDERED that **Manuel Armando Rios, #146038,** be suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after the effective date of this order;

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate District Attorney 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.

S100598 In re **Joseph Peter Koenig** on Discipline

It is ordered that **Joseph Peter Koenig**, **State Bar No. 150142**, 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 present learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 30 days. Respondent 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 July 26, 2001. 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 pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S100795 In re **India Sherryl Thompson** on Discipline

It is ordered that **India Sherryl Thompson**, **State Bar No. 143787**, 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 three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on July 24, 2001. 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 pursuant to Business & Professions Code section 6086.10 and payable in equal installments for membership years 2003, 2004, 2005 and 2006.

S100796 In re **T.R. Wright, Jr.** on Discipline

It is ordered that **T.R. Wright, Jr., State Bar No. 96780**, 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 present 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 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 July 24, 2001. It is further ordered that he take and pass the Multistate Professional Responsibility Examination during the time specified in the order approving stipulation. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S100798 In re **Joseph Gellman** on Discipline

It is ordered that **Joseph Gellman**, **State Bar No. 52402**, be suspended from the practice of law for three years, that execution of the suspension be stayed, and that he be placed on probation for four years on condition that he be actually suspended for two years and until he makes restitution to Alex Amatuzio (or the Client Security Fund, if appropriate) in the amount of $2,500 plus 10% interest per annum from January 1, 2000, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, and until he has shown proof satisfactory to the State Bar Court of respondent's 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. 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 July 31, 2001. Respondent is further ordered to comply with rule 955 of the California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2002 and 2003. (Business & Professions Code section 6086.10.)

*(See Bus. and Prof. Code, § 6126, subd. (c).)