



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SACRAMENTO SESSION
FEBRUARY 6, 2024**

In accordance with [Administrative Order 2023-05-11](#), the Supreme Court has resumed in-person oral argument sessions. Counsel have the option to appear in person at these sessions, or remotely via video. The public may attend in person and will also continue to have access to argument via live-streaming on the judicial branch website: <https://supreme.courts.ca.gov/>.

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Stanley Mosk Library and Courts Building, 914 Capitol Mall, Sacramento, California, on February 6, 2024.

TUESDAY, FEBRUARY 6, 2024 — 10:00 A.M.

- (1) Ruelas (Armida) et al. v. County of Alameda et al., S277120
- (2) People v. McDavid (Weldon K., Jr.), S275940

1:30 P.M.

- (3) People v. Flores (Marlon), S267522
- (4) People v. Reynoza (Raymond Gregory), S273797

GUERRERO

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

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The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, FEBRUARY 6, 2024 — 10:00 A.M.

(1) *Ruelas (Armida) et al. v. County of Alameda et al., S277120*

#23-2 Ruelas v. County of Alameda, S277120. (9th Cir. No. 21-16528; 51 F.4th 1187; Northern District of California; D.C. No. 4:19-cv-07637-JST.) Request under California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: “Do non-convicted incarcerated individuals performing services in county jails for a for-profit company to supply meals within the county jails and related custody facilities have a claim for minimum wages and overtime under Section 1194 of the California Labor Code in the absence of any local ordinance prescribing or prohibiting the payment of wages for these individuals?”

(2) *People v. McDavid (Weldon K., Jr.), S275940*

#22-261 People v. McDavid, S275940. (D078919; nonpublished; San Diego County Superior Court; SCN363925.) Petition for review after the Court of Appeal modified in part, remanded for resentencing in part, and otherwise affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Does the trial court have discretion to strike a firearm enhancement imposed pursuant to Penal Code section 12022.53 and instead impose a lesser uncharged firearm enhancement pursuant to a different statute (Pen. Code, § 12022.5)?

1:30 P.M.

(3) *People v. Flores (Marlon), S267522*

#21-198 *People v. Flores, S267522.* (B350359; 60 Cal.App.5th 978; Los Angeles County Superior Court; BA477784.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents the following issue: Was defendant's detention supported by reasonable suspicion that he was engaged in criminal activity?

(4) *People v. Reynoza (Raymond Gregory), S273797*

#22-120 *People v. Reynoza, S273797.* (H047594; 75 Cal.App.5th 181; Santa Clara County Superior Court; C1775222.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case presents the following issue: Does Penal Code section 136.1, subdivision (b)(2), which prohibits dissuading or attempting to dissuade a victim or witness from causing a charging document "to be sought and prosecuted, and assisting in the prosecution thereof," encompass attempts to dissuade a victim or witness after a charging document has been filed?