



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

July 22, 2022

Summary of Cases Accepted and Related Actions During Week of July 18, 2022

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#22-204 *Adolph v. Uber Technologies, Inc.*, S274671. (G059860, G060198; nonpublished opinion; Orange County Superior Court; 30-2019-01103801.) Petition for review after the Court of Appeal affirmed an order denying a petition to compel arbitration in a civil action. This case presents issues regarding the maintenance of representative claims for statutory civil penalties under the Private Attorney General Act (Lab. Code, § 2698 et seq.). (See *Viking River Cruises, Inc. v. Moriana* (2022) ___ U.S. ___ [142 S.Ct. 1906, ___ L.Ed.2d ___].)

#22-205 *People v. Belmonte*, S275009. (F080443; nonpublished opinion; Fresno County Superior Court; F09903119.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#22-206 *People v. Camacho*, S275097. (B312190; nonpublished opinion; Los Angeles County Superior Court; BA027667.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#22-207 *People v. Estrada*, S275060. (B312352; nonpublished opinion; Los Angeles County Superior Court; YA076269.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

#22-208 *People v. Guzman*, S274634. (F081436; nonpublished opinion; Kings County Superior Court; 04CM0295-003.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

The court ordered briefing in *Belmonte*, *Camacho*, *Estrada*, and *Guzman* deferred pending decision in *People v. Strong*, S266606 (#21-101), which presents the following

issue: Does a felony-murder special circumstance finding (Pen. Code, § 190.2, subd. (a)(17)) made before *People v. Banks* (2015) 61 Cal.4th 788 and *People v. Clark* (2016) 63 Cal.4th 522 preclude a defendant from making a prima facie showing of eligibility for relief under Penal Code section 1170.95?

#22-209 *People v. Corder*, S274705. (B261370; nonpublished opinion; Los Angeles County Superior Court; PA073839.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in *In re Lopez*, S258912 (#20-15), which presents the following issues: (1) Does a true finding on a gang-killing special circumstance (Pen. Code, § 190.2, subd. (a)(22)) render *Chiu* error (*People v. Chiu* (2014) 59 Cal.4th 155) harmless? (2) To what extent or in what manner, if any, may a reviewing court consider the evidence in favor of a legally valid theory in assessing whether it is clear beyond a reasonable doubt that the jury based its verdict on the valid theory, when the record contains indications that the jury considered the invalid theory? (See *People v. Aledamat* (2019) 8 Cal.5th 1.)

#22-210 *People v. Nieto*, S275104. (H047795; nonpublished opinion; Santa Cruz County Superior Court; 17CR05988.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of a criminal offense and remanded for resentencing. The court ordered briefing deferred pending decision in *In re Vaquera*, S258376 (#19-195), which presents the following issues: (1) Did the Court of Appeal err by disagreeing with *People v. Jimenez* (2019) 35 Cal.App.5th 373 and endorsing as mandatory the sentencing practice prohibited in that case? (2) Is the Court of Appeal's decision incorrect under *People v. Mancebo* (2002) 27 Cal.4th 735? (3) Did the Court of Appeal err by failing to address petitioner's claims as to the issues of waiver and estoppel?

DISPOSITIONS

Review in the following case, which was granted and held for *Conservatorship of Eric B.* (2022) 12 Cal.5th 1085, was dismissed:

#20-227 <i>Conservatorship of J.Y.</i> , S263044	(A157323; 49 Cal.App.5th 220; Contra Costa County Superior Court; P0400120)
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Review in the following cases, which were granted and held for *People v. Padilla* (2022) 13 Cal.5th 152, was dismissed:

#22-103 <i>Brown v. Superior Court</i> , S273408	(B317322; nonpublished order; Los Angeles County Superior Court; NA020150)
#22-167 <i>People v. Ogura</i> , S274167.	(B303322; nonpublished opinion; Los Angeles County Superior Court; KA089210)

Review in the following cases, which were granted and held for *People v. Padilla* (2022) 13 Cal.5th 152 and *People v. Federico*, S263082, was dismissed:

#21-46 <i>People v. Lopez</i> , S265936	(A158840; 56 Cal.App.5th 835; Contra Costa County Superior Court; 50506287)
#20-288 <i>In re Moore</i> , S263576	(B299307; nonpublished opinion; Los Angeles County Superior Court; NA007617)
#20-309 <i>People v. Quiroz</i> , S263880	(B296705; nonpublished opinion; Los Angeles County Superior Court; MA038679)
#22-42 <i>People v. Smith</i> , S272431	(B305172; nonpublished opinion; Los Angeles County Superior Court; TA084803)

Review in the following cases, which were granted and held for *Pulliam v. HNL Automotive* (2022) 13 Cal.5th 127, was dismissed:

#22-65 <i>Hernandez Flores v. Westlake Services</i> , S272518	(B308288; nonpublished opinion; Los Angeles County Superior Court; BC723711)
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#22-131 <i>Melendez v. Westlake Services</i> , S273414	(B306976; 74 Cal.App.5th 586; Los Angeles County Superior Court; BC722737)
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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.