



Supreme Court of California  
350 McAllister Street, San Francisco, CA 94102-4797  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions During Week of January 8, 2024

*[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.]*

**#24-1 *People v. Aguirre*, S282840.** (B323282; 96 Cal.App.5th 488; Ventura County Superior Court; 2022007238.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Fletcher*, S281282 (#23-188), which presents the following issues: (1) Does Assembly Bill No. 333 amend the requirements for a true finding on a prior strike conviction (Pen. Code, §§ 667, subs. (b)–(i) & 1170.12, subs. (a)–(d)) and a prior serious felony conviction (Pen. Code, § 667, subd. (a)), or is that determination made on “the date of that prior conviction”? (See Pen. Code, §§ 667, subd. (d)(1) & 1170.12, subd. (b)(1).) (2) Does Assembly Bill No. 333 (Stats. 2021, ch. 699), which modified the criminal street gang statute (Pen. Code, § 186.22), unconstitutionally amend Proposition 21 and Proposition 36, if applied to strike convictions and serious felony convictions?

**#24-2 *People v. Chappell*, S282836.** (B325387; nonpublished opinion; Ventura County Superior Court; CR22466.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#24-3 *People v. Rios*, S282971.** (B326828; nonpublished opinion; Los Angeles County Superior Court; VA091171.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for further proceedings.

The court ordered briefing in *Chappell* and *Rios* deferred pending decision in *People v. Hardin*, S277487 (#23-1), which presents the following issues: (1) Does Penal Code section 3051, subdivision (h), violate the Equal Protection Clause of the Fourteenth Amendment by excluding young adults sentenced to life without the possibility of parole

from youth offender parole consideration, while young adults sentenced to parole-eligible terms are entitled to such consideration? (2) Whether the first step of the two-part inquiry used to evaluate equal protection claims, which asks whether two or more groups are similarly situated for the purposes of the law challenged, should be eliminated in cases concerning disparate treatment of classes or groups of persons, such that the only inquiry is whether the challenged classification is adequately justified under the applicable standard of scrutiny?

**#24-4 *People v. Megaw*, S282909.** (B324731; nonpublished opinion; Los Angeles County Superior Court; KA109392.) Petition for review after the Court of Appeal affirmed a post-judgment order in a criminal matter. The court ordered briefing deferred pending decision in *People v. Mitchell*, S277314 (#22-305), which presents the following issue: Does Senate Bill No. 567 (Stats. 2021, ch. 731), which limits a trial court's discretion to impose upper term sentences, apply retroactively to defendants sentenced pursuant to stipulated plea agreements?

**#24-5 *People v. Ojeda*, S282330.** (F084804; nonpublished opinion; Kings County Superior Court; 00CM8965.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter. The court ordered briefing deferred pending decision in *In re Hernandez*, S282186 (#23-261), which presents the following issue: Does the totality of the circumstances establish that defendant meaningfully understood the immigration consequences of her plea?

**#24-6 *People v. Pineda*, S282902.** (A163880; nonpublished opinion; Contra Costa County Superior Court; 52016103.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Lynch*, S274942 (#22-217), which presents the following issue: What prejudice standard applies on appeal when determining whether a case should be remanded for resentencing in light of newly-enacted Senate Bill No. 567 (Stats. 2021, ch. 731)?

**#24-7 *People v. Ponder*, S282925.** (A166053; 96 Cal.App.5th 1042; Alameda County Superior Court; 617371.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

**#24-8 *People v. Ramirez*, S282985.** (F084555; nonpublished opinion; Tulare County Superior Court; VCF331361B.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses and remanded for further proceedings.

The court ordered briefing in *Ponder* and *Ramirez* deferred pending decision in *People v. Walker*, S278309 (#23-50), which presents the following issue: Does the amendment to Penal Code section 1385, subdivision (c) that requires trial courts to "afford great weight"

to enumerated mitigating circumstances (Stats. 2021, ch. 721) create a rebuttable presumption in favor of dismissing an enhancement unless the trial court finds dismissal would endanger public safety?

### STATUS

**#23-233 *People v. Superior Court (Mitchell)*, S281950.** The court requested supplemental briefing on the following issues: (1) In the absence of further order or other direction, when does a Court of Appeal's temporary stay of superior court criminal proceedings against a defendant expire? (2) If the temporary stay issued by the Court of Appeal had not expired at the time of defendant's guilty plea, what was the effect, if any, of the stay on the resolution of defendant's criminal proceedings?

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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.*