



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

January 24, 2025

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## Summary of Cases Accepted and Related Actions During Week of January 21, 2025

*[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.]*

**#25-15 *People v. Choub*, S288204.** (B330580; nonpublished opinion; Los Angeles County Superior Court; NA051679.) 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?

**#25-16 *People v. Dadabhai*, S288389.** (H050750; nonpublished opinion; Santa Clara County Superior Court; C1651935.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#25-17 *People v. Smith*, S288431.** (B331802; nonpublished opinion; Los Angeles County Superior Court; YA065744.) 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 *Dadabhai* and *Smith* deferred pending decision in *People v. Patton*, S279670 (#23-129), which presents the following issue: Did the trial court engage in impermissible judicial factfinding by relying on the preliminary hearing transcript to deny defendant's Penal Code section 1172.6 petition at the prima facie stage? (See *People v. Lewis* (2021) 11 Cal.5th 952.)

**#25-18 *People v. Mancilla*, S288350.** (F087171; nonpublished opinion; Kings County Superior Court; 10CM7002-002.) Petition for review after the Court of Appeal affirmed

in part and reversed in part an order granting a post-judgment motion in a criminal matter and remanded for further proceedings.

**#25-19 *People v. Torres*, S288386.** (F087035; nonpublished opinion; Kings County Superior Court; 11CM3885F-002.) Petition for review after the Court of Appeal affirmed in part and reversed in part an order granting a post-judgment motion in a criminal matter and remanded for further proceedings.

The court ordered briefing in *Mancilla* and *Torres* deferred pending decision in *People v. Lopez*, S281488 (#23-218), which presents the following issue: Is defendant entitled to retroactive application of Assembly Bill No. 333 (2021–2022 Reg. Sess.) where he appeals for a second time after his judgment was conditionally reversed and the Court of Appeal issued a limited remand to the trial court to address sentencing issues?

**#25-20 *People v. Mercado*, S288449.** (D084260; nonpublished opinion; San Bernardino County Superior Court; FVI21001892.) Petition for review after the Court of Appeal affirmed in part and reversed in part 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?

**#25-21 *People v. Orlop*, S288276.** (D083740; nonpublished opinion; Riverside County Superior Court; INF1500310.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

**#25-22 *People v. Smith*, S288307.** (E083000; nonpublished opinion; Riverside County Superior Court; CR63215.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

The court ordered briefing in *Orlop* and *Smith* deferred pending decision in *People v. Rhodius*, S283169 (#24-34), which presents the following issue: Does Senate Bill No. 483 (Stats. 2021, ch. 728) entitle a defendant to a full resentencing hearing under Penal Code section 1172.75 if the defendant’s prior prison term enhancements (Pen. Code, § 667.5, subd. (b)) were imposed and stayed, rather than imposed and executed?

**DISPOSITIONS**

Review in the following cases, which were granted and held for *People v. Williams* (2024) 17 Cal.5th 99, was dismissed:

<b>#22-313 <i>People v. Androshchuk</i>, S277282</b>	(C094802; nonpublished opinion; Sacramento County Superior Court; 07F07669)
<b>#21-24 <i>People v. Boston</i>, S272107</b>	(C086940; nonpublished opinion; Shasta County Superior Court; 16F4160)
<b>#21-260 <i>People v. Escamilla</i>, S268403</b>	(F077568; nonpublished opinion; Kern County Superior Court; BF168296A)
<b>#22-78 <i>People v. Esquivel</i>, S273176</b>	(D079448; nonpublished opinion; Monterey County Superior Court; SS161405)
<b>#21-308 <i>People v. Miranda</i>, S268384</b>	(E071542; 62 Cal.App.5th 162; Riverside County Superior Court; RIF1703505)
<b>#23-44 <i>People v. Steele</i>, S278512</b>	(E077444; nonpublished opinion; San Bernardino County Superior Court; FSB029421)

The following cases were transferred for reconsideration in light of *People v. Williams* (2024) 17 Cal.5th 99:

<b>#22-185 <i>People v. Jimenez</i>, S274004</b>	(H049329; nonpublished opinion; Santa Clara County Superior Court; CC624282)
<b>#23-30 <i>People v. Mitchell</i>, S278038</b>	(E076032; nonpublished opinion; Riverside County Superior Court; RIF1605412)

#20-197 <i>People v. Williams</i> , S262191	(A157031; nonpublished opinion; Contra Costa County Superior Court; 51422005)
#21-309 <i>In re Woods</i> , S268740	(B301891; 62 Cal.App.5th 740 [non-citable]; Los Angeles County Superior Court; NA037804)

The following case was transferred for reconsideration in light of *In re Vaquera* (2024) 15 Cal.5th 706:

#23-65 <i>People v. Bolanos</i> , S278803	(F082970; 87 Cal.App.5th 1069 [non-citable]; Madera County Superior Court; MCR063072)
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The following case was transferred for reconsideration in light of *Rodriguez v. FCA US, LLC* (2024) 17 Cal.5th 189:

#24-138 <i>Stiles v. Kia Motors America</i> , S285433	(B325798; 101 Cal.App.5th 913 [non-citable]; Ventura County Superior Court; 56-2019-00527171-CU-BC-VTA)
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*People v. Hirschfield*, S208354, an automatic appeal, was abated upon the death of the appellant.

*People v. Jennings*, S188035, an automatic appeal, was abated upon the death of the appellant.

*People v. Kemp*, S174232, an automatic appeal, was abated upon the death of the appellant.

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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.*