



Supreme Court of California
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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 24, 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.]

#21-22 *Chevron U.S.A., Inc. v. County of Monterey*, S271869. (H045791; 70 Cal.App.5th 153; Monterey County Superior Court; 16CV003978.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court limited review to the following issue: Does Public Resources Code section 3106 impliedly preempt provisions LU-1.22 and LU-1.23 of Monterey County’s initiative “Measure Z”?

#21-23 *People v. Curiel*, S272238. (G058604; nonpublished opinion; Orange County Superior Court; 02CF2160.) Petition for review after the Court of Appeal reversed a post-judgment motion in a criminal matter and remanded for further proceedings. This case presents the following issue: Does a jury’s true finding on a gang-murder special circumstance (Pen. Code, § 190.2, subd. (a)(22)) preclude a defendant from making a prima facie showing of eligibility for resentencing under Penal Code section 1170.95?

#21-24 *People v. Boston*, S272107. (C086940; nonpublished opinion; Shasta County Superior Court; 16F4160.) Petition for review after the Court of Appeal remanded for resentencing in part, and otherwise affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Williams*, S262229 (#20-189), which presents the following issue: Does Penal Code section 3051, subdivision (h), violate the equal protection clause of the Fourteenth Amendment by excluding young adults convicted and sentenced for serious sex crimes under the One Strike law (Pen. Code, § 667.61) from youth offender parole consideration, while young adults convicted of first degree murder are entitled to such consideration?

#21-25 *People v. Hernandez*, S272245. (F081137; nonpublished opinion; Tulare County Superior Court; VCF092425-02.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-26 *People v. Probus*, S272391. (E072780; nonpublished opinion; Riverside County Superior Court; SWF003257.) 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 *Hernandez* and *Probus* 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?

#21-27 *People v. Parks*, S272389. (C092561; nonpublished opinion; Sacramento County Superior Court; 95F08570.) Petition for review after the Court of Appeal dismissed an appeal from an order denying a post-judgment motion in a criminal matter. The court ordered briefing deferred pending decision in *People v. Delgadillo*, S266305 (#21-72), which presents the following issues: (1) What procedures must appointed counsel and the Courts of Appeal follow when counsel determines that an appeal from an order denying postconviction relief lacks arguable merit? (2) Are defendants entitled to notice of these procedures?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Lewis* (2021) 11 Cal.5th 952 and Senate Bill No. 775 (Stats, 2021, ch. 551):

#21-412 <i>People v. Binns</i>, S269573	(B301959; nonpublished opinion; Los Angeles County Superior Court; SA028021)
#20-226 <i>People v. Brinson</i>, S263341	(A157869; nonpublished opinion; Sonoma County Superior Court; SCR289231)
#21-361 <i>People v. Coley</i>, S268930	(A159927; nonpublished opinion; Solano County Superior Court; VCR208165)
#20-343 <i>People v. Davila</i>, S264750	(B298856; nonpublished opinion; Los Angeles County Superior Court; KA090972)
#20-215 <i>People v. Devlin</i>, S263124	(B297848; nonpublished opinion; Los Angeles County Superior Court; SA039719)
#21-335 <i>People v. Diego</i>, S268887	(B303304; nonpublished opinion; Los Angeles County Superior Court; YA000719)

#21-284 <i>People v. Galarza, S268654</i>	(B303867; nonpublished opinion; Los Angeles County Superior Court; BA227460)
#21-285 <i>People v. Garcia, S268068</i>	(B304788; Los Angeles County Superior Court; VA128373)
#20-160 <i>People v. Gerolaga, S262273</i>	(C089457; nonpublished opinion; San Joaquin County Superior Court; STKCRFE20030006717, SF087581A)
#20-359 <i>People v. Gutierrez, S264702</i>	(B306036; nonpublished opinion; Los Angeles County Superior Court; BA215904)
#21-384 <i>People v. Herrera, S269416</i>	(B301607; nonpublished opinion; Los Angeles County Superior Court; TA066571)
#21-362 <i>People v. Higgs, S269036</i>	B305937; nonpublished opinion; Los Angeles County Superior Court; PA071844)
#21-181 <i>People v. Kendrick, S267268</i>	(C089236; nonpublished opinion; Los Angeles County Superior Court; STKCRFE20020007201, SF085059B)
#21-373 <i>People v. Kim, S269031</i>	(G059338; nonpublished opinion; Orange County Superior Court; 08NF1399)
#21-385 <i>People v. Kishor, S268995</i>	(C092425; nonpublished opinion; Sacramento County Superior Court; 98F01523)
#21-145 <i>People v. Leon, S267052</i>	(B304478; nonpublished opinion; Los Angeles County Superior Court; KA085870)
#21-336 <i>People v. Mateo, S268757</i>	(B305965; nonpublished opinion; Los Angeles County Superior Court; BA414092)
#21-363 <i>People v. Mendoza, S269104</i>	(B307382; nonpublished opinion; Los Angeles County Superior Court; BA396381)
#21-201 <i>People v. Monroy, S267678</i>	(G058919; nonpublished opinion; Orange County Superior Court; 02CF0424)
#20-326 <i>People v. Rendon, S264611</i>	(G057637; nonpublished opinion; Orange County Superior Court; 12CF1604)
#21-374 <i>People v. Shaw, S269297</i>	(B306212; nonpublished opinion; Los Angeles County Superior Court; MA054450)
#20-407 <i>People v. Trotter, S265713</i>	(C089578; nonpublished opinion; Sacramento County Superior Court; 05F03192)
#21-33 <i>People v. Urrutia, S266082</i>	(G058118; nonpublished opinion; Orange County Superior Court; 02NF0517)

<i>21-250 People v. Walker, S268046</i>	(B302037; nonpublished opinion; Los Angeles County Superior Court; BA242819)
<i>#20-248 People v. Williams, S263129</i>	(B300341; nonpublished opinion; Los Angeles County Superior Court; BA212549)
<i>#20-287 People v. Williams, S264052</i>	(B300682, B301373; nonpublished opinion; Los Angeles County Superior Court; TA124662)
<i>#20-216 People v. Williams, S263193</i>	(B299053; nonpublished opinion; Los Angeles County Superior Court; KA007720)
<i>#20-408 People v. Woods, S265686</i>	(B297732; nonpublished opinion; Los Angeles County Superior Court; KA033813)

The following cases were transferred for reconsideration in light of Senate Bill No. 775 (Stats, 2021, ch. 551):

<i>#20-384 People v. Love, S265445</i>	(B302892; 55 Cal.App.5th 273; Los Angeles County Superior Court; TA138408)
<i>#20-72 People v. Medrano, S259948</i>	(F068714, F069260; 42 Cal.App.5th 1001; Tulare County Superior Court; VCF282470A, VCF282470B, VCF282470C)

Review in the following cases, which were granted and held for *People v. Lewis* (2021) 11 Cal.5th 952, was dismissed:

<i>#21-326 People v. Childress, S268856</i>	(B299879; nonpublished opinion; Los Angeles County Superior Court; BA356413)
<i>#21-349 People v. Franco, S269178</i>	(B305769; nonpublished opinion; Los Angeles County Superior Court; VA142960)
<i>#20-296 People v. Gallegos, S264315</i>	(G057647; nonpublished opinion; Orange County Superior Court; 99CF1231)
<i>#20-173 People v. Griffin, S262362</i>	(B297212; nonpublished opinion; Los Angeles County Superior Court; TA109162)
<i>#20-239 People v. Gutierrez, S263661</i>	(B300949; nonpublished opinion; Los Angeles County Superior Court; BA149083)

#21-262 <i>People v. Hughes, S267794</i>	(A160287; nonpublished opinion; Alameda County Superior Court; 159734A)
#20-400 <i>People v. Kuykendall, S265787</i>	(B297725; nonpublished opinion; Los Angeles County Superior Court; VA038748)
#20-356 <i>People v. Lawson, S265171</i>	(B299681; nonpublished opinion Los Angeles County Superior Court; A790260)
#21-242 <i>People v. Luster, S267983</i>	(A157997; nonpublished opinion; Contra Costa County Superior Court; 59345034)
#21-153 <i>People v. Martin, S267267</i>	(B299948; nonpublished opinion; Los Angeles County Superior Court; A982883)
#21-243 <i>People v. Martin, S268007</i>	(E074388; nonpublished opinion; Riverside County Superior Court; RIF135704)
#20-257 <i>People v. Mayes, S263784</i>	(B298207; nonpublished opinion; Los Angeles County Superior Court; KA054756)
#20-241 <i>People v. Medrano, S263669</i>	(B297430; nonpublished opinion; Los Angeles County Superior Court; BA291921)
#21-320 <i>People v. Mireles, S268605</i>	(B299600; nonpublished opinion; Los Angeles County Superior Court; BA289903)
#21-389 <i>People v. Osuna, S269125</i>	(F079997; nonpublished opinion; Kings County Superior Court; 14CMS3764C)
#20-300 <i>People v. Poncio, S264279</i>	(G057709; nonpublished opinion; Orange County Superior Court; 00CF3110)
#20-301 <i>People v. Quintana, S264392</i>	(B299286; nonpublished opinion; Los Angeles County Superior Court; BA357016)
#21-291 <i>People v. Sainz, S268423</i>	(D077858; nonpublished opinion; San Diego County Superior Court; CR86492)
#21-29 <i>People v. Sanchez, S266176</i>	(B299635; nonpublished opinion; Los Angeles County Superior Court; A960340)
#21-114 <i>People v. Serrato, S266863</i>	(B305470; nonpublished opinion; Los Angeles County Superior Court; GA008060)
#21-191 <i>People v. Sorrels, S267463</i>	(B305320; nonpublished opinion; Los Angeles County Superior Court; BA321479)

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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.