



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
www.courts.ca.gov/supremecourt

NEWS RELEASE

Contact: [Merrill Balassone](mailto:Merrill.Balassone@courts.ca.gov), 415-865-7740

FOR IMMEDIATE RELEASE

January 30, 2026

Summary of Cases Accepted and Related Actions During Week of January 26, 2026

[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.]

#26-9 *Creditors Adjustment Bureau, Inc. v. Schofield*, S294428. (B342783; nonpublished opinion; Los Angeles County Superior Court; 23VECV05661.) Petition for review after the Court of Appeal reversed an order in a civil action and remanded for further proceedings. This case presents the following issue: Must a motion under Code of Civil Procedure section 473, subdivision (b) that seeks the same relief from a default judgment as a previously denied motion under Code of Civil Procedure section 473, subdivision (d) comply with Code of Civil Procedure section 1008?

#26-10 *People v. Avila*, S294421. (B336975; nonpublished opinion; Los Angeles County Superior Court; PA063014.) 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 *People v. Munoz*, S290828 (#25-209), which presents the following issue: Is a juvenile homicide offender sentenced to 50 years to life in prison entitled to recall and resentencing under Penal Code section 1170, subdivision (d)(1) on the ground that the sentence is the functional equivalent of life imprisonment without parole?

#26-11 *People v. Eckstein*, S294327. (G064464; nonpublished opinion; Orange County Superior Court; 17CF0713.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#26-12 *People v. Johnson*, S294425. (G064125; nonpublished opinion; Riverside County Superior Court; RIF1601253.) Petition for review after the Court of Appeal

reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

The court ordered briefing in *Eckstein* and *Johnson* deferred pending decision in *People v. Espino*, S286987 (#24-209), which presents the following issue: Is a defendant entitled to resentencing under Penal Code section 1172.75 when the judgment in the defendant's criminal case includes a prior-prison-term enhancement that was imposed but for which punishment was stricken?

#26-13 *People v. Gutierrez*, S294424. (E084266; nonpublished opinion; Riverside County Superior Court; INF1501680.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#26-14 *People v. Ledesma*, S294377. (B338101; nonpublished opinion; Los Angeles County Superior Court; A520574.) Petition for review after the Court of Appeal affirmed in part and reversed in part an order denying a post-judgment motion in a criminal matter and remanded for further proceedings.

The court ordered briefing in *Gutierrez* and *Ledesma* deferred pending decision in *People v. Lopez*, S287814 (#25-2), which presents the following issue: Does Penal Code section 1172.6, subdivision (a)(3), which requires defendants to allege that they “could not presently be convicted of murder or attempted murder because of changes to section 188 or 189 made effective January 1, 2019,” render ineligible for relief petitioners who could have raised their challenges to imputed malice on prior direct appeal?

#26-15 *People v. Montoya*, S294341. (B338696; nonpublished opinion; Los Angeles County Superior Court; VA145807.) 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?

#26-16 *People v. Taito*, S294105. (B337324; 115 Cal.App.5th 694; Los Angeles County Superior Court; NA015316.) 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 *People v. Morris*, S284751 (#24-132), which presents the following issue: Did the trial court correctly deny defendant's Penal Code section 1172.6 resentencing petition at the prima facie stage on the ground that the actus reus of first degree felony murder requires that a defendant who is not the actual killer need only aid in the underlying felony and not in the killing itself (Pen. Code, § 189, subd. (e)(2))?

#26-17 Taylor v. Thor Motor Coach, Inc., S294365. (D083730; nonpublished opinion; San Diego County Superior Court; 37-2023-00024862-CU-BC-CTL.) Petition for review after the Court of Appeal reversed an order in a civil action and remanded with directions. The court ordered briefing deferred pending decision in *Lathrop v. Thor Motor Coach, Inc.*, S287893 (#25-12), which presents the following issues: (1) Where a party alleges that enforcement of a forum selection clause would result in a waiver of the party's unwaivable statutory rights, what is the showing necessary to enforce (or avoid enforcement) of such a clause, and which party bears the burden of proof on the issue? (2) Under what circumstances, if any, does a stipulation to apply California law in the selected forum rebut an allegation that enforcement of a forum selection clause would result in a waiver of a party's unwaivable statutory rights? (3) If enforcement of a choice of law clause would result in a waiver of a party's unwaivable statutory rights, is the choice of law clause severable from the remainder of the agreement?

###

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.