



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 29, 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.]

#24-19 *Escamilla v. Vannucci*, S282866. (A166176; 97 Cal.App.5th 175; Alameda County Superior Court; RG21111193.) Petition for review after the Court of Appeal affirmed an order granting a special motion to strike in a civil action. This case presents the following issue: What statute of limitations applies to a malicious prosecution action brought against an attorney when the claim does not arise from an attorney-client relationship?

#24-20 *People v. Chweya*, S282832. (B301780; nonpublished opinion; Los Angeles County Superior Court; VA093880.) 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?

#24-21 *People v. Orozco*, S283247. (A164946; nonpublished opinion; Sonoma County Superior Court; SCR7205614.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. McCune*, S276303 (#22-280), which presents the following issue: Did the trial court exceed its jurisdiction by setting the amount of victim restitution after terminating defendant's probation pursuant to Assembly Bill No. 1950 (Stats. 2020, ch. 328)?

#24-22 *People v. Villegas*, S283126. (A164370; 97 Cal.App.5th 253; Napa County Superior Court; 19CR001442.) Petitions for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. 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?

SEPARATE STATEMENT

In re Diaz, S276024. Original proceeding.

DISPOSITIONS

Review in the following case was dismissed:

<p>#22-245 Gerro v. Blockfi Lending, S275530</p>	<p>(B307156, B312647; nonpublished opinion; Los Angeles County Superior Court; 20STCV31493)</p>
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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.