



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

February 21, 2020

Summary of Cases Accepted and Related Actions During Week of February 17, 2020

[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.]

#20-50 *People v. Bryant, S259956.* (B271300; 42 Cal.App.5th 839; Los Angeles County Superior Court; GA094777.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Should the validity of a condition of release on mandatory supervision be assessed under the standards applicable to conditions of parole or the standards applicable to conditions of probation?

#20-51 *Daly v. Board of Supervisors, S260209.* (E073730; nonpublished order; San Bernardino County Superior Court; CIVDS1833846.) Petition for review after the Court of Appeal denied a petition for writ of supersedeas. This case includes the following issues: (1) Are a judgment and the enforcement of an accompanying writ of mandate automatically stayed by the perfection of an appeal as a mandatory injunction when they direct a county's board of supervisors to rescind its appointment of a supervisor based on the finding that the process by which the supervisor was appointed violated the Brown Act (Gov. Code, § 54950 et seq.)? (2) Did plaintiffs properly challenge real party in interest's appointment as Third District Supervisor by a petition for writ of mandate under Government Code section 54960.1, subdivision (a), or was an action in quo warranto (Code Civ. Proc., § 803 et seq.) the exclusive procedure for such a challenge?

#20-52 *In re Mohammad, S259999.* (B295152; 42 Cal.App.5th 719; Los Angeles County Superior Court; BA361122, BH011959.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. This case presents the following issue: Is a prisoner serving a sentence for a combination of violent and nonviolent felonies eligible for early parole consideration under the provisions of Proposition 57 following completion of the term for his or her primary offense?

#20-53 *People v. Contreras*, S260093. (H045787; nonpublished opinion; Santa Cruz County Superior Court; 16CR01219.) 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. McKenzie*, S251333 (#18-161), which presents the following issue: When is the judgment in a criminal case final for purposes of applying a later change in the law if the defendant was granted probation and imposition of sentence was suspended?

#20-54 *People v. Lopez*, S260098. (C087269; nonpublished opinion; Yolo County Superior Court; CRF173237.) Petition for review after the Court of Appeal conditionally reversed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Frahs*, S252220 (#18-175), which presents the following issues: (1) Does Penal Code section 1001.36 apply retroactively to all cases in which the judgment is not yet final? (2) Did the Court of Appeal err by remanding for a determination of defendant's eligibility under Penal Code section 1001.36?

#20-55 *Narith S. v. Superior Court*, S260090. (B296384; 42 Cal.App.5th 1131; Los Angeles County Superior Court; NJ39093, NA101252.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. The court ordered briefing deferred pending decision in *O.G. v. Superior Court*, S259011 (#19-190), which presents the following issue: Did Senate Bill No. 1391 (Stats. 2018, ch. 1012), which eliminated the possibility of transfer to adult criminal court for crimes committed when a minor was 14 or 15 years old, unconstitutionally amend Proposition 57?

#20-56 *In re Schuster*, S260024. (C087276; 42 Cal.App.5th 943; Sacramento County Superior Court; 17HC00283.) Petition for review after the Court of Appeal affirmed as modified a judgment granting relief on a petition for writ of habeas corpus. The court ordered briefing deferred pending decision in *In re Gadlin*, S254599 (#19-53), which includes the following issue: Under Proposition 57 (Cal. Const., art. I, § 32), may the California Department of Corrections and Rehabilitation categorically exclude from early parole consideration all prisoners who have been previously convicted of a sex offense requiring registration under Penal Code section 290?

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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.