



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
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NEWS RELEASE

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

FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions During Week of February 26, 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.]

#24-42 *Bacon v. BMW of North America*, S283551. (H050174; nonpublished opinion; Santa Clara County Superior Court; 19CV350387.) Petition for review after the Court of Appeal reversed the judgment in a civil action. The court ordered briefing deferred pending decision in *Ford Motor Warranty Cases*, S279969 (#23-148), which presents the following issue: Do manufacturers' express or implied warranties that accompany a vehicle at the time of sale constitute obligations arising from the sale contract, permitting manufacturers to enforce an arbitration agreement in the contract pursuant to equitable estoppel?

#24-43 *People v. Collins*, S283490. (C097619; nonpublished opinion; Sacramento County Superior Court; 98F10648.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#24-44 *People v. Walz*, S283574. (E080712; nonpublished opinion; San Bernardino County Superior Court; SCR41000.) 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 *Collins* and *Walz* deferred pending decision in *People v. Hardin*, S277487 (#23-1), which presents the following issues: (1) Does Penal Code section 3051, subdivision (h), violate the Equal Protection Clause of the Fourteenth Amendment by excluding young adults sentenced to life without the possibility of parole from youth offender parole consideration, while young adults sentenced to parole-eligible terms are entitled to such consideration? (2) Whether the first step of the two-part inquiry used to evaluate equal protection claims, which asks whether two or more groups are similarly situated for the purposes of the law challenged, should be eliminated in cases concerning disparate treatment of classes or groups of persons, such that the only

inquiry is whether the challenged classification is adequately justified under the applicable standard of scrutiny?

#24-45 *People v. Foreman*, S283516. (F084001; nonpublished opinion; Kern County Superior Court; BF171558A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decisions in *People v. Bankston*, S044739, and *People v. Hin*, S141519, both automatic appeals, which include an issue involving the retroactivity of the provision in Assembly Bill No. 2799 (Stats. 2022, ch. 973) limiting the admissibility of creative expressions (Evid. Code, § 352.2), and pending decision in *People v. Hardin*, S277487 (#23-1), which presents the following issues: (1) Does Penal Code section 3051, subdivision (h), violate the Equal Protection Clause of the Fourteenth Amendment by excluding young adults sentenced to life without the possibility of parole from youth offender parole consideration, while young adults sentenced to parole-eligible terms are entitled to such consideration? (2) Whether the first step of the two-part inquiry used to evaluate equal protection claims, which asks whether two or more groups are similarly situated for the purposes of the law challenged, should be eliminated in cases concerning disparate treatment of classes or groups of persons, such that the only inquiry is whether the challenged classification is adequately justified under the applicable standard of scrutiny?

#24-46 *People v. Hall*, S283530. (A165406; 97 Cal.App.5th 1084, mod. 98 Cal.App.5th 659c; Del Norte County Superior Court; CRF219022.) 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. Lynch*, S274942 (#22-217), which presents the following issue: What prejudice standard applies on appeal when determining whether a case should be remanded for resentencing in light of newly-enacted Senate Bill No. 567 (Stats. 2021, ch. 731)?

#24-47 *People v. Nichols*, S283484. (F083958; nonpublished opinion; Kern County Superior Court; BF182068A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decisions in *People v. Bankston*, S044739, and *People v. Hin*, S141519, both automatic appeals, which include an issue involving the retroactivity of the provision in Assembly Bill No. 2799 (Stats. 2022, ch. 973) limiting the admissibility of creative expressions (Evid. Code, § 352.2).

#24-48 *People v. Samoata*, S283319. (D080333; nonpublished opinion; San Diego County Superior Court; SCD288011.) 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. McDavid*, S275940 (#22-261), which presents the following issue: Does the trial court have discretion to strike a firearm enhancement

imposed pursuant to Penal Code section 12022.53 and instead impose a lesser uncharged firearm enhancement pursuant to a different statute (Pen. Code, § 12022.5)?

#24-49 *People v. Whitlatch*, S283545. (C096642; nonpublished opinion; San Joaquin County Superior Court; STKCRFE20190003141.) Petition for review after the Court of Appeal conditionally reversed a judgment of conviction of criminal offenses and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Emanuel*, S280551 (#23-174), which presents the following issue: Does sufficient evidence support the trial court's finding that defendant acted with reckless indifference to human life and therefore was ineligible for resentencing pursuant to Penal Code section 1172.6?

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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.