



Supreme Court of California  
350 McAllister Street, San Francisco, CA 94102-4797  
[www.courts.ca.gov/supremecourt](http://www.courts.ca.gov/supremecourt)

**NEWS RELEASE**

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

**FOR IMMEDIATE RELEASE**

March 15, 2024

---

## Summary of Cases Accepted and Related Actions During Week of March 11, 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.]*

**#24-50 *People v. Superior Court (Guevara)*, S283305.** (B329457; 97 Cal.App.5th 978; Santa Barbara County Superior Court; 1183843.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Do the revised penalty provisions of the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.12) apply when a defendant is resentenced pursuant to Senate Bill No. 483 (Pen. Code, § 1172.75)?

**#24-51 *People v. Wiley*, S283326.** (A165613; 97 Cal.App.5th 676; Humboldt County Superior Court; CR1902147B.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Did the sentencing court's consideration of circumstances in aggravation based on certified records of prior convictions, beyond the bare fact of the convictions, violate Penal Code section 1170, subdivision (b)(3) or defendant's Sixth Amendment right to a jury trial?

**#24-52 *People v. Aramburo*, S283695.** (E079469; nonpublished opinion; San Bernardino County Superior Court; FWV025155.) 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. 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?

**#24-53 *People v. Casares*, S283660.** (E081067; nonpublished opinion; San Bernardino County Superior Court; FVA018711.) 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 finality of the decision in *People v. Hardin* (Mar. 4, 2024, S277487) \_\_\_ Cal.5th \_\_\_.

**#24-54 *People v. Ruiz*, S283504.** (B324477; 97 Cal.App.5th 1068; Ventura County Superior Court; 2014011115.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of a criminal offense and remanded for further proceedings. 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)?

**#24-55 *People v. Saldana*, S283547.** (C097966; 97 Cal.App.5th 1270; Yolo County Superior Court; CR20111630.) Petition for review after the Court of Appeal reversed an order granting in part and denying in part a post-judgment motion in a criminal matter and remanded for resentencing.

**#24-56 *People v. Wyatt*, S283393.** (C098249; nonpublished opinion; Shasta County Superior Court; 07F1009.) Petition for review after the Court of Appeal reversed an order granting in part and denying in part a post-judgment motion in a criminal matter and remanded for resentencing.

The court ordered briefing in *Saldana* and *Wyatt* deferred pending decision in *People v. Rhodius*, S283169 (#24-34), which presents the following issue: Does Senate Bill No. 483 (Stats. 2021, ch. 728) entitle a defendant to a full resentencing hearing under Penal Code section 1172.75 if the defendant's prior prison term enhancements (Pen. Code, § 667.5, subd. (b)) were imposed and stayed, rather than imposed and executed?

**#24-57 *People v. Thomas*, S283548.** (E080674; nonpublished opinion; San Bernardino County Superior Court; FSB056656.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Patton*, S279670 (#23-129), which presents the following issue: Did the trial court engage in impermissible judicial factfinding by relying on the preliminary hearing transcript to deny defendant's Penal Code section 1172.6 petition at the prima facie stage? (See *People v. Lewis* (2021) 11 Cal.5th 952.)

**#24-58 *People v. Weldon*, S283637.** (B321956; nonpublished opinion; Santa Barbara County Superior Court; 21CR00636.) Petition for review after the Court of Appeal affirmed an order revoking probation in a criminal matter. The court ordered briefing deferred pending decision in *People v. Mitchell*, S277314 (#22-305), which presents the following issue: Does Senate Bill No. 567 (Stats. 2021, ch. 731), which limits a trial

court's discretion to impose upper term sentences, apply retroactively to defendants sentenced pursuant to stipulated plea agreements?

### SEPARATE STATEMENT ON DENIAL OF REVIEW

***People v. Mota, S283230.*** (E079971; nonpublished opinion; Riverside County Superior Court; RIF74296.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

### DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Salazar* (2023) 15 Cal.5th 416:

<b>#23-3 <i>People v. Barocio, S277577</i></b>	(B317635; nonpublished opinion; Los Angeles County Superior Court; BA482590)
<b>#23-241 <i>People v. Bass, S282420</i></b>	(H049528; nonpublished opinion; Santa Clara County Superior Court; C2007193)
<b>#23-234 <i>People v. Donohoe, S282276</i></b>	(C096067; nonpublished opinion; El Dorado County Superior Court; S20CRF0131)
<b>#23-113 <i>People v. Lopez, S279685</i></b>	(A164096; nonpublished opinion; Sonoma County Superior Court; SCR5387451)
<b>#23-72 <i>People v. Orellana, S278797</i></b>	(F082699; nonpublished opinion; Merced County Superior Court; 20CR-04944)
<b>#23-254 <i>People v. Samayoa, S282535</i></b>	(H047865; nonpublished opinion; Santa Clara County Superior Court; F1554476)

<b>#23-133 <i>People v. Yzararraz</i>, S280178</b>	(D080924; nonpublished opinion; Riverside County Superior Court; RIF2000713)
--	--

The following case was transferred for reconsideration in light of *People v. Salazar* (2023) 15 Cal.5th 416 and *People v. Mumin* (2023) 15 Cal.5th 176:

<b>#23-157 <i>People v. Brewer</i>, S280503</b>	(F082631; nonpublished opinion; Fresno County Superior Court; F19902558)
---	--

The following case was transferred for reconsideration in light of *People v. Salazar* (2023) 15 Cal.5th 416 and *People v. Aledamat* (2019) 8 Cal.5th 1:

<b>#23-253 <i>People v. Greer</i>, S282601</b>	(E076749; nonpublished opinion; San Bernardino County Superior Court; FVI1300018)
--	---

The following case was transferred for reconsideration in light of *People v. Salazar* (2023) 15 Cal.5th 416 and Assembly Bill No. 2361 (Stats. 2022, ch. 330):

<b>#22-295 <i>People v. Siackasorn</i>, S276818</b>	(C094024; nonpublished opinion; Sacramento County Superior Court; 07F11789)
---	---

### STATUS

**#23-14 *People v. Watkins*, S277573.** In this case, in which briefing was previously deferred pending decision in *People v. Salazar* (2023) 15 Cal.5th 416, 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)?

###

*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.*