



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

March 18, 2022

Summary of Cases Accepted and Related Actions During Week of March 14, 2022

[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.]

#22-69 *Wheeler v. Appellate Division of Superior Court, S272850.* (B310024; 72 Cal.App.5th 824; Los Angeles County Superior Court; 9CJ00315-02, 9CJ00315, BR054851.) Petition for review after the Court of Appeal denied a petition for writ of mandate and remanded for further proceedings. This case presents the following issues: (1) Can a trial court dismiss a strict liability offense pursuant to Penal Code section 1385 based in part on a defendant's lack of knowledge concerning the offense? (2) Does state law preempt a local ordinance when both prohibit the same conduct and the state law has a mens rea component that the local ordinance does not?

#22-70 *People v. Collins, S272979.* (C093043; 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.

#22-71 *People v. Wallace, S273024.* (C092426; nonpublished opinion; Sacramento County Superior Court; 95F02739.) 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 *Wallace* deferred pending decision in *People v. Strong*, S266606 (#21-101), which presents the following issue: Does a felony-murder special circumstance finding (Pen. Code, § 190.2, subd. (a)(17)) made before *People v. Banks* (2015) 61 Cal.4th 788 and *People v. Clark* (2016) 63 Cal.4th 522 preclude a defendant from making a prima facie showing of eligibility for relief under Penal Code section 1170.95?

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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.