



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

March 27, 2026

Summary of Cases Accepted and Related Actions During Week of March 23, 2026

[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.]

#26-48 *Barbosa v. Sierra Pacific Orthopaedic Center Medical Group, Inc.*, S294710.

(F088971; nonpublished opinion; Fresno County Superior Court; 23CECG04847.)

Petition for review after the Court of Appeal affirmed an order denying a motion to compel arbitration in a civil action. This case presents the following issue: If an arbitration agreement provides that disputes will be resolved under the Federal Arbitration Act (9 U.S.C. § 1 et seq.; the FAA), do the FAA's substantive provisions apply and preempt inconsistent state laws regardless of whether interstate commerce is involved?

#26-49 *Honchariw v. PMF CA REIT, LLC*, S295127. (B337927; 117 Cal.App.5th 827;

Los Angeles County Superior Court; 21STCV25191.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action and remanded with directions. This case presents the following issues: (1) Under what circumstances, if any, can a litigant recover attorney fees as a prevailing party for work performed by their attorney-spouse on a joint claim or defense? (2) Do Code of Civil Procedure sections 1021 and 1033.5 authorize self-represented attorneys to recover fees under a contractual attorney's fees clause? (See *Musaelian v. Adams* (2009) 45 Cal.4th 512; *Trope v. Katz* (1995) 11 Cal.4th 274.)

#26-50 *Turcios v. Superior Court*, S295195. (B343717; nonpublished opinion; Los

Angeles County Superior Court; 24CAPR05114.) Petition for review after the Court of Appeal denied a petition for writ of mandate. This case presents the following issue: Is conducting a bail review hearing in post-release community supervision revocation proceedings one of the "subordinate judicial duties" (Cal. Const., art. VI, § 22) that a court commissioner is permitted to perform without a stipulation by the parties?

#26-51 *Yeh v. Twitter, Inc.*, S295210. (A170843; nonpublished opinion; San Francisco County Superior Court; CGC23605100.) Petition for review after the Court of Appeal affirmed the dismissal of a civil action. This case presents the following issue: Does a defendant's nonconsensual use of a plaintiff's personally identifying information for marketing purposes constitute an economic injury sufficient to show standing under the Unfair Competition Law (Bus. & Prof. Code, § 17200 et seq.) in the absence of allegations regarding the plaintiff's ability to monetize such information?

#26-52 *Clapp v. Department of Motor Vehicles*, S294891. (B343964; nonpublished opinion; Los Angeles County Superior Court; 24STCP00925.) Petition for review after the Court of Appeal reversed the judgment in an action for writ of administrative mandate and remanded with directions. The court ordered briefing deferred pending decision in *Romane v. Department of Motor Vehicles*, S291093 (#25-274), which presents the following issue: Under what circumstances does an administrative per se hearing officer's relationship with the Department of Motor Vehicles (DMV) violate a driver's due process right to an impartial adjudicator by creating an unacceptable risk of bias during a DMV driver's license suspension hearing?

#26-53 *People v. Mendez Lopez*, S295223. (B341617; nonpublished opinion; Los Angeles County Superior Court; KA098829.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter. The court ordered briefing deferred pending decision in *People v. Eaton*, S289903 (#25-129), which presents the following issue: May a trial court reimpose a previously imposed upper term sentence under Penal Code section 1172.75, subdivision (d)(4) where the facts underlying one or more aggravating circumstances were neither stipulated to by the defendant nor found true beyond a reasonable doubt at trial by the jury or by the judge in a court trial (cf. Pen. Code, § 1170, subd. (b)(2); *id.*, § 1172.75, subd. (d)(2))?

#26-54 *People v. Swinney*, S295199. (B337460; nonpublished opinion; Los Angeles County Superior Court; BA450026.) 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. Morris*, S284751 (#24-132), which presents the following issue: Did the trial court correctly deny defendant's Penal Code section 1172.6 resentencing petition at the prima facie stage on the ground that the actus reus of first degree felony murder requires that a defendant who is not the actual killer need only aid in the underlying felony and not in the killing itself (Pen. Code, § 189, subd. (e)(2))?

#26-55 *Tuufuli v. West Coast Dental Administrative Services, LLC*, S295323. (B338584; 117 Cal.App.5th 1048; Los Angeles County Superior Court; 23STCV08678.) Petition for review after the Court of Appeal affirmed an order granting a motion to

compel arbitration in a civil action. The court ordered briefing deferred pending decision in *Barbosa v. Sierra Pacific Orthopaedic Center Medical Group, Inc.*, S294710 (#26-48), which presents the following issue: If an arbitration agreement provides that disputes will be resolved under the Federal Arbitration Act (9 U.S.C. § 1 et seq.; the FAA), do the FAA’s substantive provisions apply and preempt inconsistent state laws regardless of whether interstate commerce is involved?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Emanuel* (2025) 17 Cal.5th 867:

#24-52 <i>People v. Aramburo</i>, S283695	(E079469; nonpublished opinion; San Bernardino County Superior Court; FWV025155)
#24-141 <i>People v. Clark</i>, S285712	(F085335; nonpublished opinion; Fresno County Superior Court; CF80264587)

The following case was transferred for reconsideration in light of *People v. Shaw* (2025) 18 Cal.5th 1089:

#25-117 <i>People v. Lockhart</i>, S289905	(B335012; nonpublished opinion; Los Angeles County Superior Court; TA069600)
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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.