



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

March 30, 2023

Summary of Cases Accepted and Related Actions During Week of March 27, 2023

[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.]

#23-58 *John's Grill, Inc. v. The Hartford Financial Services Group, Inc.*, S278481. (A162709; 86 Cal.App.5th 1195; San Francisco County Superior Court; CGC20584184.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. This case presents the following issues: (1) Is a grant of coverage for property loss or damage to covered property caused by a virus rendered illusory where it is limited by a condition that makes coverage applicable only if the virus is the result of one or more of a number of listed causes? (2) Is a conditional grant of coverage for property loss or damage to covered property caused by a virus, including the cost of removal of the virus, triggered by cleaning surfaces in the covered property that are contaminated by the virus in the absence of physical alteration of the property?

#23-59 *People v. Bryant*, S278248. (B319417; nonpublished opinion; Los Angeles County Superior Court; A648829.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#23-60 *People v. Garcia*, S278608. (G060701; nonpublished opinion; Orange County Superior Court; 01NF1540.) 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 *Bryant* and *Garcia* deferred pending decision in *People v. Reyes*, S270723 (#21-509), which presents the following issues: (1) Does substantial evidence support the conclusion that petitioner acted with implied malice? (2) Does substantial evidence support the conclusion that petitioner's actions constituted murder or aided and abetted murder?

#23-61 *People v. Corrales*, S278254. (F083684; nonpublished opinion; Fresno County Superior Court; F21906681.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

#23-62 *People v. Smith*, S278603. (C095199; nonpublished opinion; Sacramento County Superior Court; 19FE017054.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses.

The court ordered briefing deferred in *Corrales* and *Smith* 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)?

#23-63 *French Laundry Partners, LP v. Hartford Fire Insurance Company*, S278492. (9th Circ. No. 21-15927; 58 F.4th 1305; Northern District of California; D.C. No. 3:20-cv-04540-JSC.) Request under California Rules of Court, rule 8.548, that this court decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The court ordered briefing deferred pending decision in *John's Grill, Inc. v. The Hartford Financial Services Group, Inc.*, S278481 (#23-58) which presents the following issues: (1) Is a grant of coverage for property loss or damage to covered property caused by a virus rendered illusory where it is limited by a condition that makes coverage applicable only if the virus is the result of one or more of a number of listed causes? (2) Is a conditional grant of coverage for property loss or damage to covered property caused by a virus, including the cost of removal of the virus, triggered by cleaning surfaces in the covered property that are contaminated by the virus in the absence of physical alteration of the property?

DISPOSITIONS

Review in the following cases, which were granted and held for *People v. Henderson* (2022) 14 Cal.5th 34, was dismissed:

#21-102 <i>People v. Aguirre</i>, S266762	(B296528; nonpublished opinion; Los Angeles County Superior Court; KA119165)
#21-69 <i>People v. Schafer</i>, S266096	(C083560; nonpublished opinion; Sacramento County Superior Court; 15F04925)

The following case was transferred for reconsideration in light of *People v. Henderson* (2022) 14 Cal.5th 34:

#21-476 <i>People v. Loftis</i> , S270446	(F080908; nonpublished opinion; Fresno County Superior Court; F18908520)
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The following cases were transferred for reconsideration in light of *People v. Delgadillo* (2022) 14 Cal.5th 216:

#21-224 <i>People v. Goethe</i> , S267867	(C092417; nonpublished order; Sacramento County Superior Court; 12F00877)
#22-151 <i>People v. Guajardo</i> , S274260	(C093286; nonpublished opinion; Sacramento County Superior Court; 14F00683)
#22-283 <i>People v. Hall</i> , S276407	(C095433; nonpublished opinion; Sacramento County Superior Court; 97F03789)
#22-89 <i>People v. Haven</i> , S273287	(C093641; nonpublished opinion; Sacramento County Superior Court; 12F01615)
#22-152 <i>People v. Hernandez</i> , S274118	(E077943; nonpublished opinion; San Bernardino County Superior Court; FSB053198)
#21-256 <i>People v. Imarogbe</i> , S268259	(C093037; nonpublished opinion; Sacramento County Superior Court; 95F09990)
#21-330 <i>People v. Jeffries</i> , S268978	(C092875; nonpublished opinion; Sacramento County Superior Court; 12F01615)

#21-225 <i>People v. Johnson</i>, S267934	(C091979; nonpublished order; Sacramento County Superior Court; 04F03055)
#21-331 <i>People v. Joyner</i>, S268620	(C091224; nonpublished opinion; Sacramento County Superior Court; 09F07948)
#22-153 <i>People v. Leite</i>, S273813	(C094428; nonpublished opinion; Sacramento County Superior Court; 04F09696)
#21-226 <i>People v. Leyba</i>, S267900	(C092129; nonpublished order; Sacramento County Superior Court; 10F06425)
#22-257 <i>People v. Magee</i>, S276029	(E077903; nonpublished opinion; San Bernardino County Superior Court; FSB1203948)
#21-215 <i>People v. Martin</i>, S267770	(B306008; nonpublished opinion; Los Angeles Superior Court; KA089862)
#22-10 <i>People v. Martinez</i>, S272044	(C092719; nonpublished opinion; Sacramento County Superior Court; 107515)
#21-227 <i>People v. Mason</i>, S267438	(C091626; nonpublished order; San Joaquin County Superior Court; STKCRFE20080010260, SF110292A)
#21-517 <i>People v. McDonough</i>, S270931	(C092461; nonpublished opinion; Nevada County Superior Court; SF07431)
#21-332 <i>People v. Mendoza</i>, S268916	(E075768; nonpublished opinion; San Bernardino County Superior Court; FSB03399)

#21-333 <i>People v. Miller</i> , S268331	(B308504; nonpublished opinion; Los Angeles County Superior Court; NA002100)
#21-301 <i>People v. Muzquiz</i> , S268463	(C093087; nonpublished opinion; Sacramento County Superior Court; 88534)
#21-228 <i>People v. Ortega</i> , S267370	(C092671; nonpublished order; Sacramento County Superior Court; 08F07509)
#21-377 <i>People v. Pao</i> , S269320	(C093267; nonpublished opinion; Sacramento County Superior Court; 05F03254)
#21-407 <i>People v. Rael</i> , S269543	(B308169; nonpublished opinion; Los Angeles County Superior Court; VA106907)
#21-184 <i>People v. Rodriguez</i> , S267436	(B305739; nonpublished opinion; Los Angeles County Superior Court; BA02445)
#21-560 <i>People v. Sedillo</i> , S271292	(B309401; nonpublished opinion; Los Angeles County Superior Court; NA085739)
#21-229 <i>People v. Sims</i> , S267874	(C089527; nonpublished opinion; San Joaquin County Superior Court; STKCRFE19960006158, SC060460A)
#21-230 <i>People v. Smith</i> , S267904	(C091746; nonpublished order; Sacramento County Superior Court; CR68241)
#21-231 <i>People v. Tarasuk</i> , S267379	(C090332; nonpublished order; Placer County Superior Court; 62115893)

Review in the following cases, which were granted and held for *People v. Delgadillo* (2022) 14 Cal.5th 216, was dismissed:

#22-66 <i>People v. Pulido</i>, S272896	(H049392; nonpublished opinion; Monterey County Superior Court; SS130724A)
#21-149 <i>People v. Singletary</i>, S266892	(B301566; nonpublished opinion; Los Angeles County Superior Court; LA021100)
#22-169 <i>People v. Taylor</i>, S274478	(H048140; nonpublished order; Santa Clara County Superior Court; 75468)

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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.