



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions During Week of March 29, 2021

[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.]

#21-150 *People v. Alvizo*, S267178. (G057977; nonpublished opinion; Orange County Superior Court; 06WF2818.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-151 *People v. Duckett*, S267242. (B301927; nonpublished opinion; Los Angeles County Superior Court; A308967.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-152 *People v. Duval*, S267189. (C089098; nonpublished opinion; Sutter County Superior Court; 06WF2818.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-153 *People v. Martin*, S267267. (B299948; nonpublished opinion; Los Angeles County Superior Court; A982883.) 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 *Alvizo*, *Duckett*, *Duval*, and *Martin* deferred pending decision in *People v. Lewis*, S260598 (#20-78), which presents the following issues: (1) May superior courts consider the record of conviction in determining whether a defendant has made a prima facie showing of eligibility for relief under Penal Code section 1170.95? (2) When does the right to appointed counsel arise under Penal Code section 1170.95, subdivision (c)?

#21-154 *People v. Ramirez*, S267182. (C091845; 60 Cal.App.5th 163; Tehama County Superior Court; NCR91608.) 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. Delgadillo*, S266305 (#21-72), which presents the following issues: (1) What procedures must appointed counsel and the Courts of Appeal follow when counsel determines that an appeal from an order denying postconviction relief lacks arguable merit? (2) Are defendants entitled to notice of these procedures?

#21-155 *People v. Reyes*, S266962. (B304108; nonpublished opinion; Los Angeles County Superior Court; BA120197.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-156 *People v. Robson*, S267070. (C089152; nonpublished opinion; Sacramento County Superior Court; 04F06813.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-157 *People v. Saucedo*, S267068. (B301139; nonpublished opinion; Santa Barbara County Superior Court; 1434089.) 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 *Reyes*, *Robson*, and *Saucedo* deferred pending decision in *People v. Lewis*, S260598 (#20-78), which presents the following issues: (1) May superior courts consider the record of conviction in determining whether a defendant has made a prima facie showing of eligibility for relief under Penal Code section 1170.95? (2) When does the right to appointed counsel arise under Penal Code section 1170.95, subdivision (c)? and 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?

#21-158 *People v. Smith*, S267273. (D0766201 nonpublished opinion; Imperial County Superior Court; JCF32515.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#21-159 *People v. Wilbarn*, S267072. (H047537; nonpublished opinion; Monterey County Superior Court; SS102036.) 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 *Smith* and *Walbarn* deferred pending decision in *People v. Raybon*, S256798 (#19-121), which presents the following issue: Did Proposition 64 [the “Adult Use of Marijuana Act”] decriminalize the possession of up to 28.5 grams of marijuana by adults 21 years of age or older who are in state prison [as well as those not in prison]?

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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.