



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

April 18, 2025

Summary of Cases Accepted and Related Actions During Week of April 14, 2025

[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.]

#25-91 *Leeper v. Shipt, Inc.*, S289305. (B339670; 107 Cal.App.5th 1001; Los Angeles County Superior Court; 24STCV06485.) Review ordered on the court's own motion after the Court of Appeal reversed an order denying a motion to compel arbitration in a civil action and remanded with directions. The court limited review to the following issues: (1) Does every Private Attorneys General Act (Lab. Code, § 2698 et seq.) (PAGA) action necessarily include both individual and non-individual PAGA claims, regardless of whether the complaint specifically alleges individual claims? (2) Can a plaintiff choose to bring only a non-individual PAGA action?

#25-92 *Pitt v. Metropolitan Tower Life Ins. Co.*, S289376. (9th Cir. No. 23-55566; 129 F.4th 583; Southern District of California; No. 3:20-cv-00694-RSH-DEB.) Request under California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: Do California Insurance Code sections 10113.71 and 10113.72 apply to life insurance policies originally issued or delivered in another state but maintained by a policy owner in California?

#25-93 *People v. Aguirre*, S289578. (E082098; nonpublished opinion; Riverside County Superior Court; RIF123528.) 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. Lopez*, S287814 (#25-2), which presents the following issue: Does Penal Code section 1172.6, subdivision (a)(3), which requires defendants to allege that they "could not presently be convicted of murder or attempted murder because of changes to section 188 or 189 made effective January 1,

2019,” render ineligible for relief petitioners who could have raised their challenges to imputed malice on prior direct appeal?

#25-94 *People v. Archuleta*, S289560. (E082960; nonpublished opinion; Riverside County Superior Court; RIF1605083.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-95 *People v. Briceno*, S289541. (G063559; nonpublished opinion; Orange County Superior Court; 00NF3394.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-96 *People v. Ewing*, S289428. (G063633; nonpublished opinion; Orange County Superior Court; 18CF0567.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-97 *People v. Felix*, S289764. (G063658; nonpublished opinion; Orange County Superior Court; 96HF1035.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-98 *People v. Finks*, S289611. (G063662; nonpublished opinion; Orange County Superior Court; 18WF2335.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-99 *People v. Gentry*, S289807. (G063651; nonpublished opinion; Orange County Superior Court; 96NF1288.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-100 *People v. Holloway*, S289455. (E083170; nonpublished opinion; Riverside County Superior Court; RIF72178.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-101 *People v. Marbley*, S289549. (E082945; nonpublished opinion; Riverside County Superior Court; RIF1202462.) Petition for review after the Court of Appeal reversed a post-judgment order in a criminal matter and remanded for resentencing.

#25-102 *People v. Martinez*, S289740. (G063644; nonpublished opinion; Orange County Superior Court; 96CF0746.) Petition for review after the Court of Appeal

reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-103 *People v. McBath*, S289357. (G063649; nonpublished opinion; Orange County Superior Court; 94WF1546.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-104 *People v. Miller*, S289269. (E083061; nonpublished opinion; Riverside County Superior Court; CR67859.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-105 *People v. Miranda*, S289196. (G063652; nonpublished opinion; Orange County Superior Court; 94HF0472.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

The court ordered briefing in *Archuleta*, *Briceno*, *Ewing*, *Felix*, *Finks*, *Gentry*, *Holloway*, *Marbley*, *Martinez*, *McBath*, *Miller*, and *Miranda* 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?

#25-106 *Colon-Perez v. Security Industry Specialists, Inc.*, S289702. (A168297; 108 Cal.App.5th 403; Alameda County Superior Court; 21CV004546.) Petition for review after the Court of Appeal affirmed orders in a civil action. The court ordered briefing deferred pending decision in *Hohenshelt v. Superior Court*, S284498 (#24-98), which presents the following issue: Does the Federal Arbitration Act (9 U.S.C. § 1 et seq.) preempt state statutes prescribing the procedures for paying arbitration fees and providing for forfeiture of the right to arbitrate if timely payment is not made by the party who drafted the arbitration agreement and who is required to pay such fees?

#25-107 *People v. Drummer*, S289566. (H051441; nonpublished opinion; Santa Clara County Superior Court; C1477595.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-108 *People v. Young*, S289644. (B331830; nonpublished opinion; Los Angeles County Superior Court; BA384433.) 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 *Drummer* and *Young* 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?

#25-109 *People v. Schanuth*, S289712. (C100904; nonpublished opinion; Yuba County Superior Court; CRF2100211.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Wiley*, S283326 (#24-51), which 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?

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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.