



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

April 25, 2025

Summary of Cases Accepted and Related Actions During Week of April 21, 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.]

#25-110 *Town of Apple Valley v. Apple Valley Ranchos Water*, S289391. (E078348; 108 Cal.App.5th 62, mod. 108 Cal.App.5th 666c; San Bernardino County Superior Court; CIVDS1600180.) Petition for review after the Court of Appeal reversed the judgment in a civil action and remanded for further proceedings. The court limited review to the following issue: When a public entity files an eminent domain action seeking to take privately held public utility property, and the owner objects to the right to take, what is the proper standard of judicial review for the trial court to apply to determine whether the property owner has rebutted the presumptions under Code of Civil Procedure sections 1245.250, subdivision (b) and 1240.650, subdivision (c)?

#25-111 *People v. Bowman*, S289781. (E083016; nonpublished opinion; Riverside County Superior Court; RIF090904.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-112 *People v. Dupree*, S289782. (G063533; nonpublished opinion; Orange County Superior Court; 96NF0620.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-113 *People v. Valenzuela*, S289854. (E083299; nonpublished opinion; Riverside County Superior Court; INF1201315.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-114 *People v. Varney*, S289425. (E082894; nonpublished opinion; Riverside County Superior Court; RIF110836.) Petition for review after the Court of Appeal

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

#25-115 *People v. Yost*, S289882. (E083078; nonpublished opinion; Riverside County Superior Court; CR67330.) 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 *Bowman*, *Dupree*, *Valenzuela*, *Varney*, and *Yost* 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?

#25-116 *People v. Livingston*, S289595. (B330709; nonpublished opinion; Los Angeles County Superior Court; BA445708.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for further proceedings. 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?

#25-117 *People v. Lockhart*, S289905. (B335012; nonpublished opinion; Los Angeles County Superior Court; TA069600.) 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. Shaw*, S286453 (#24-179), which presents the following issue: May two prior convictions arising out of a single act that harms multiple victims constitute two strikes under the Three Strikes law? (*People v. Vargas* (2014) 59 Cal.4th 635; *People v. Williams* (1998) 17 Cal.4th 148.)

#25-118 *People v. Sanders*, S289629. (B336316; nonpublished opinion; Los Angeles County Superior Court; NA067047.) 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. Superior Court (Guevara)*, S283305 (#24-50), which presents the following issues: (1) Do the revised penalty provisions of the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.12) apply when a defendant is resentenced pursuant to Senate Bill No. 483 (Pen. Code, § 1172.75)? (2) Do defendants qualify as "presently serving an indeterminate term" under Penal Code section 1170.126 if they were serving such a term

on the effective date of the statute, or only if they are currently serving such an indeterminate term?

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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.