



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

May 16, 2025

Summary of Cases Accepted and Related Actions During Week of May 12, 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.]

#25-128 *In re A.G.*, S289441. (E084563; nonpublished order; San Bernardino County Superior Court; J286808.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus in a juvenile dependency proceeding. The court issued an order to show cause why the relief sought in the petition should not be granted. This case presents issues relating to claims of ineffective assistance of counsel in connection with juvenile dependency proceedings resulting in the termination of petitioner's parental rights.

#25-129 *People v. Eaton*, S289903. (C096853; nonpublished opinion; Sacramento County Superior Court; 93F04514.) 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. This case 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))?

#25-130 *Hearn v. Pacific Gas & Electric Co.*, S289581. (A167742, A167991; 108 Cal.App.5th 301; Napa County Superior Court; 20CV000391.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. The court limited review to the following issue: May a terminated employee bring a defamation claim against a former employer when the defamation allegedly contributed to the reasons for the termination of that employment or must such a claim be pursued under a wrongful discharge theory?

#25-131 *In re Z.G.*, S289430. (E083710; nonpublished opinion; San Bernardino County Superior Court; J286808.) Petition for review after the Court of Appeal affirmed orders in a juvenile dependency proceeding. The court limited review to the following issue: Can parental rights properly be terminated pursuant to Welfare and Institutions Code section 366.26, subdivision (c)(1) when a parent did not receive reunification services and was not bypassed for such services?

#25-132 *People v. Balangue*, S289851. (F086532; nonpublished opinion; Tulare County Superior Court; PCF354765A.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Bankston*, S044739, an automatic appeal, which includes an issue involving the retroactivity of the provision in Assembly Bill No. 2799 (Stats. 2022, ch. 973) limiting the admissibility of creative expressions (Evid. Code, § 352.2).

#25-133 *People v. Brown*, S289832. (G063548; nonpublished opinion; Orange County Superior Court; 94NF2864.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-134 *People v. Bunch*, S289999. (G063547; nonpublished opinion; Orange County Superior Court; 96WF0422.) Petition for review after the Court of Appeal reversed a post-judgment order in a criminal matter and remanded for further proceedings.

#25-135 *People v. Figueroa*, S290249. (G063645; nonpublished opinion; Orange County Superior Court; 08NF0581.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-136 *People v. Guerra*, S289840. (G063639; nonpublished opinion; Orange County Superior Court; 10NF0425.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-137 *People v. Jacuinde*, S290093. (E082886; nonpublished opinion; Riverside County Superior Court; RIF1603431.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-138 *People v. Morales*, S290263. (G063776; nonpublished opinion; Orange County Superior Court; 13NF3001.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-139 *People v. Orozco*, S290096. (G063386; nonpublished opinion; Orange County Superior Court; 04NF0055.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-140 *People v. Rivera*, S290253. (G063793; nonpublished opinion; Orange County Superior Court; 04SF0912.) 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 *Brown, Bunch, Figueroa, Guerra, Jacuinde, Morales, Orozco*, and *Rivera* 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?

#25-141 *People v. Gomez*, S290104. (B329629; nonpublished opinion; Los Angeles County Superior Court; NA057522.) 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 finality of the decision in *People v. Antonelli* (Apr. 24, 2025, S281599) ___ Cal.5th ___.

#25-142 *Rodriguez v. Packers Sanitation Services LTD., LLC*, S290182. (D083400; 109 Cal.App.5th 69; Imperial County Superior Court; ECU002252.) Petition for review after the Court of Appeal affirmed an order denying a motion to compel arbitration in a civil action. The court ordered briefing deferred pending decision in *Leeper v. Shipt, Inc.*, S289305 (#25-91), which presents 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?

#25-143 *People v. Taylor*, S290267. (B335451; nonpublished opinion; Los Angeles County Superior Court; PA087551.) Petition for review after the Court of Appeal reversed an order revoking probation in a criminal matter and remanded with directions. The court ordered briefing deferred pending decision in *People v. Faial*, S273840 (#22-133), which presents the following issue: Does Assembly Bill No. 1950 (Stats. 2020, ch. 328) apply retroactively to a defendant, serving a suspended-execution sentence, whose probation was revoked before the law went into effect?

#25-144 *People v. Wells*, S289382. (B333767; nonpublished opinion; Los Angeles County Superior Court; KA101394.) 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))?

#25-145 *People v. Woodson*, S290018. (B334504; nonpublished opinion; Los Angeles County Superior Court; BA419591.) 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?

SEPARATE STATEMENT ON DENIAL OF REVIEW

People v. Denem, S289464. (B333016; nonpublished opinion; Los Angeles County Superior Court; BA240172.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Lynch* (2024) 16 Cal.5th 730:

#23-219 <i>People v. Aguilar</i>, S282123	(B316432; nonpublished opinion; Los Angeles County Superior Court; PA093196)
#23-100 <i>People v. Gonzalez-Rivas</i>, S279482	(C095034; nonpublished opinion; Sacramento County Superior Court; 19FE012600)

#23-164 <i>People v. Gregg</i>, S280799	(G060803; nonpublished opinion; Orange County Superior Court; 21CF0388)
#22-284 <i>People v. Hidalgo</i>, S276452	(E075992; nonpublished opinion; San Bernardino County Superior Court; FVI20000041)
#23-158 <i>People v. Ngissah</i>, S280619	(C095346; nonpublished opinion; Sacramento County Superior Court; 20FE001921)
#22-310 <i>People v. Waller</i>, S277228	(C093431; nonpublished opinion; Sacramento County Superior Court; 18FE018342)

#25-62 *People v. Franco*, S289147. The court ordered the cause severed as to defendant Hugo Chavez, dismissed review as to Chavez, and remanded with directions to issue the remittitur as to Chavez alone.

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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.