



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

May 17, 2024

Summary of Cases Accepted and Related Actions During Week of May 13, 2024

[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.]

#24-80 *In re Bradshaw on Discipline*, S282314. (Unpublished opinion; State Bar Ct. No. 16-O-15558.) Petition for review after a State Bar Court recommendation of discipline of an attorney. This case presents the following issue: What is the appropriate discipline in light of the record in this case?

#24-81 *Whitehead v. City of Oakland*, S284303. (A164483; 99 Cal.App.5th 775; Alameda County Superior Court; RG18896233.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does a liability release agreement between a bicyclist and the organizer of a recreational bicycle ride extend to the alleged negligent maintenance of a public road by a municipality named in the agreement but not a party to it?

#24-82 *Ayers v. FCA US, LLC*, S284486. (B315884; 99 Cal.App.5th 1280; Los Angeles County Superior Court; JCCP4884.) Petition for review after the Court of Appeal reversed the judgment in a civil action and remanded with directions. The court ordered briefing deferred pending decision in *Madrigal v. Hyundai Motor America*, S280598 (#23-170), which presents the following issue: Do Code of Civil Procedure section 998's cost-shifting provisions apply if the parties ultimately negotiate a pre-trial settlement?

#24-83 *People v. Johnson*, S284509. (C097856; nonpublished opinion; San Joaquin County Superior Court; STKCRFE20170015416.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses and remanded for further proceedings. The court ordered briefing deferred pending decisions in *People v. Bankston*, S044739, and *People v. Hin*, S141519, both automatic appeals, which include 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).

#24-84 *People v. Rodriguez*, S284321. (D083007; nonpublished opinion; San Bernardino County Superior Court; FWV21002789.) Petition for review after the Court of Appeal reversed an order revoking probation in a criminal matter and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Mitchell*, S277314 (#22-305), which presents the following issue: Does Senate Bill No. 567 (Stats. 2021, ch. 731), which limits a trial court’s discretion to impose upper term sentences, apply retroactively to defendants sentenced pursuant to stipulated plea agreements?

#24-85 *People v. Wright*, S284377. (E079168; nonpublished opinion; San Bernardino County Superior Court; FVI21003194.) 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. Walker*, S278309 (#23-50), which presents the following issue: Does the amendment to Penal Code section 1385, subdivision (c) that requires trial courts to “afford great weight” to enumerated mitigating circumstances (Stats. 2021, ch. 721) create a rebuttable presumption in favor of dismissing an enhancement unless the trial court finds dismissal would endanger public safety?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *In re Vaquera* (2024) 15 Cal.5th 706:

#22-58 <i>People v. Atwood</i>, S272890	(B304822; nonpublished opinion; Ventura County Superior Court; 2015014383)
#22-08 <i>People v. Calla</i>, S271920	(B301783; nonpublished opinion; Los Angeles County Superior Court; BA461921)
#20-338 <i>People v. Camphor</i>, S264836	(A151488; nonpublished opinion; Alameda County Superior Court; 178180)
#23-138 <i>People v. Farias</i>, S280286	(B314347; nonpublished opinion; Los Angeles County Superior Court; BA486911)

#20-374 <i>People v. Figueroa</i>, S264653	(F077514; nonpublished opinion; Tulare County Superior Court; VCF331062)
#22-224 <i>People v. Gonzales</i>, S275191	(F080029; nonpublished opinion; Fresno County Superior Court; F18902486)
#21-375 <i>People v. Lemons</i>, S269342	(C082451; nonpublished opinion; Sacramento County Superior Court; 15F00649)
#21-571 <i>People v. Long</i>, S271807	(F079251; nonpublished opinion; Fresno County Superior Court; F13907709)
#21-529 <i>People v. Lopez</i>, S271094	(B306060; nonpublished opinion; Los Angeles County Superior Court; BA460612)
#21-530 <i>People v. Montes</i>, S271056	(F078875; nonpublished opinion; Kern County Superior Court; BF173257A)
#23-78 <i>People v. Ramirez</i>, S278927	(E077359; nonpublished opinion; Riverside County Superior Court; RIF1605001)
#22-155 <i>People v. Rios</i>, S274132	(F080424; nonpublished opinion; Kern County Superior Court; BF172063A)
#22-253 <i>People v. Robinson</i>, S275364	(B317209; nonpublished opinion; Kern County Superior Court; BF168297)
#22-168 <i>People v. Sanchez</i>, S274153	(F077527; nonpublished opinion; Kern County Superior Court; SF018769A)
#24-18 <i>People v. Santiz</i>, S283103	(F084188; nonpublished opinion; Kern County Superior Court; BF182234A)

#23-106 <i>People v. Sinigur</i>, S279466	(C091622; nonpublished opinion; Sacramento County Superior Court; 18FE004949)
#20-89 <i>People v. Zalana</i>, S259731	(B295959; 43 Cal.App.5th 527; Los Angeles County Superior Court; BA468653)

Review in the following cases, which were granted and held for *In re Vaquera* (2024) 15 Cal.5th 706, was dismissed:

#22-238 <i>People v. Khaliqi</i>, S275164	(H047928; nonpublished opinion; Santa Clara County Superior Court; C1628809)
#23-57 <i>People v. Nash</i>, S278610	(D079539; 87 Cal.App.5th 483; San Diego County Superior Court; SCE371032)
#22-210 <i>People v. Nieto</i>, S275104	(H047795; nonpublished opinion; Santa Cruz County Superior Court; 17CR05988)
#24-22 <i>People v. Villegas</i>, S283126	(A164370; 97 Cal.App.5th 253; Napa County Superior Court; 19CR001442)

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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.