



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

May 20, 2022

Summary of Cases Accepted and Related Actions During Week of May 16, 2022

[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.]

#22-132 *California-American Water Co. v. Public Utilities Commission*, S271493.

Original proceeding. The court issued a writ of review regarding notice and due process requirements in proceedings before the Public Utilities Commission. (See also *Golden State Water Co. v. Public Utilities Commission*, S269099.)

#22-133 *People v. Faial*, S273840. (A159026; 75 Cal.App.5th 738; San Mateo County Superior Court; SC083808.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses. This case 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1950 (Stats. 2020, ch. 328) apply retroactively to a defendant, serving a suspended-execution sentence, whose probation was revoked before the law went into effect?

#22-134 *Golden State Water Co. v. Public Utilities Commission*, S269099. Original proceeding. The court issued a writ of review regarding notice and due process requirements in proceedings before the Public Utilities Commission. (See also *California-American Water Co. v. Public Utilities Commission*, S271493.)

#22-135 *People v. Epps*, S274064. (D079593; nonpublished opinion; Riverside County Superior Court; RIF132260.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

#22-136 *People v. Pereles*, S273996. (H049218; nonpublished opinion; Santa Clara County Superior Court; 186103.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#22-137 *People v. Rembert, S274013.* (G059690; nonpublished opinion; Orange County Superior Court; C-94692.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

#22-138 *People v. Rosales, S274030.* (H048876; nonpublished opinion; Santa Clara County Superior Court; CC319535.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

The court ordered briefing in *Epps, Pereles, Rembert, and Rosales* deferred 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?

#22-139 *People v. Pacheco, S274102.* (G059940; 76 Cal.App.5th 118; Orange County Superior Court; 08WF0147.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter. The court ordered briefing deferred pending decision in *People v. Curiel, S272238* (#21-23), which presents the following issue: Does a jury's true finding on a gang-murder special circumstance (Pen. Code, § 190.2, subd. (a)(22)) preclude a defendant from making a prima facie showing of eligibility for resentencing under Penal Code section 1170.95?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Tirado* (2022) 12 Cal.5th 688:

#20-126 <i>People v. Harper, S261226</i>	(D074943; nonpublished opinion; San Diego County Superior Court; SCN308840)
#20-195 <i>People v. Valles, S262757</i>	(E071361; 49 Cal.App.5th 156 [non-citable]; Riverside County Superior Court; RIF1603061)

The following case was transferred for reconsideration in light of *People v. Tirado* (2022) 12 Cal.5th 688 and *People v. Lemcke* (2021) 11 Cal.5th 644:

#20-180 <i>People v. Venable, S262423</i>	(E071681; nonpublished opinion; San Bernardino County Superior Court; FSB17002517)
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The following case was transferred for reconsideration in light of *People v. Tirado* (2022) 12 Cal.5th 688 and Senate Bill No. 775 (Stats. 2021, ch. 551):

#21-125 <i>People v. Salas</i> , S266966	(B301365; nonpublished opinion; Ventura County Superior Court; 2008006111)
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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.