



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

June 13, 2025

Summary of Cases Accepted and Related Actions During Week of June 9, 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.]

#25-178 *People v. Hyatt*, S290426. (G063126; 109 Cal.App.5th 735; Orange County Superior Court; 19NF3055.) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding. This case presents the following issues: (1) Has a defendant who has been sentenced to a prison term and is housed in a county jail pending transport to state prison “entered upon a term of imprisonment in a state prison,” so that they may demand a trial on other, pending charges within 90 days pursuant to Penal Code section 1381? (2) Is the dismissal of a felony complaint prior to the preliminary hearing an “appealable order in a felony case,” such that an appeal by the People is heard by the Court of Appeal? (See Pen. Code, § 1235, subd. (b).)

#25-179 *Ballesteros v. Ford Motor Company*, S290724. (A172271; 109 Cal.App.5th 1196; San Bernardino County Superior Court; CIVSB2208834.) Petition for review after the Court of Appeal affirmed an order denying a motion to compel arbitration. The court ordered briefing deferred pending decision in *Ford Motor Warranty Cases*, S279969 (#23-148), which presents the following issue: Do manufacturers’ express or implied warranties that accompany a vehicle at the time of sale constitute obligations arising from the sale contract, permitting manufacturers to enforce an arbitration agreement in the contract pursuant to equitable estoppel?

#25-180 *People v. Bess*, S290607. (G063556; nonpublished opinion; Orange County Superior Court; 96CF3190.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-181 *People v. Fernandez, S290795.* (E083319; nonpublished opinion; Riverside County Superior Court; SWF1807828.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-182 *People v. Gilmore, S290734.* (B335749; nonpublished opinion; Los Angeles County Superior Court; NA105314.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-183 *People v. Hill, S290600.* (G063803; nonpublished opinion; Orange County Superior Court; 12WF1939.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-184 *People v. Jackson, S290547.* (E083076, E083074; nonpublished opinion; Riverside County Superior Court; BAF1400741, RIF1403938.) Petition for review after the Court of Appeal affirmed a post-judgment order in a criminal matter.

#25-185 *People v. Miller, S290637.* (A169511; nonpublished opinion; Contra Costa County Superior Court; 05009711573.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-186 *People v. Perez, S290810.* (E082994; nonpublished opinion; Riverside County Superior Court; RIF1702047.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-187 *People v. Rodola, S290658.* (E082873; nonpublished opinion; Riverside County Superior Court; RIF72310.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#25-188 *People v. Rodriguez, S290457.* (E083313; nonpublished opinion; Riverside County Superior Court; RIF75273.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-189 *People v. Ruiz, S290705.* (G063756; nonpublished opinion; Orange County Superior Court; 13NF3833.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-190 *People v. Simpson*, S290419. (G063771; nonpublished opinion; Orange County Superior Court; 00CF2782.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-191 *People v. Stephen*, S290712. (G063562; nonpublished opinion; Orange County Superior Court; 13CF2612.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-192 *People v. Tellez*, S290634. (G063753; nonpublished opinion; Orange County Superior Court; 13CF2980.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#25-193 *People v. Wright*, S290713. (E083910; nonpublished opinion; San Bernardino County Superior Court; FWV17001837.) 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 *Bess*, *Fernandez*, *Gilmore*, *Hill*, *Jackson*, *Miller*, *Perez*, *Rodola*, *Rodriguez*, *Ruiz*, *Simpson*, *Stephen*, *Tellez*, and *Wright* 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?

#25-194 *People v. Bustamante*, S289973. (B334404; nonpublished opinion; Los Angeles County Superior Court; NA084561.) Petition for review after the Court of Appeal reversed a post-judgment order in a criminal matter and remanded for resentencing.

#25-195 *People v. Dismuke*, S290515. (F087359; nonpublished opinion; Stanislaus County Superior Court; 1006268.) 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 in *Bustamante* and *Dismuke* 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? (3) Whether, as a matter of constitutional avoidance, the statutes may be harmonized by construing the public safety provision of Penal Code section 1170.126, subdivision (f) as applicable at resentencing pursuant to Penal Code section 1172.75 (see *People v. Superior Court (Williams)* (2024) 102 Cal.App.5th 1242, 1268–1274 (conc. & dis. opn. of Greenwood, P. J.))? (4) Whether, if the court concludes that there is a constitutional conflict between Penal Code section 1172.75 and Penal Code section 1170.126, resentencing pursuant to Penal Code section 1172.75 may provide “good cause” for a new or successive recall petition pursuant to Penal Code section 1170.126?

#25-196 *People v. Jackson*, S290577. (A164679; 110 Cal.App.5th 128, mod. 110 Cal.App.5th 638a; Contra Costa County Superior Court; 59007014.) 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.

#25-197 *People v. Jones*, S290579. (B334961; nonpublished opinion; Los Angeles County Superior Court; A982795.) 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 in *Jackson* and *Jones* deferred pending decision in *People v. Morris*, S284751 (#24-132), which presents the following issue: Did the trial court correctly deny defendant’s Penal Code section 1172.6 resentencing petition at the prima facie stage on the ground that the actus reus of first degree felony murder requires that a defendant who is not the actual killer need only aid in the underlying felony and not in the killing itself (Pen. Code, § 189, subd. (e)(2))?

DISPOSITIONS

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

#23-61 <i>People v. Corrales</i>, S278254	(F083684; nonpublished opinion; Fresno County Superior Court; F21906681)
#22-267 <i>People v. Flowers</i>, S276237	(B312522; 81 Cal.App.5th 680 [non-citable]; San Luis Obispo County Superior Court; 20F-02462)

#24-46 <i>People v. Hall</i> , S283530	(A165406; 97 Cal.App.5th 1084, mod. 98 Cal.App.5th 659c [non-citable]; Del Norte County Superior Court; CRF219022)
#23-166 <i>People v. Pipkins</i> , S280101	(F083745; nonpublished opinion; Kern County Superior Court; BF186664B)
#24-54 <i>People v. Ruiz</i> , S283504	(B324477; 97 Cal.App.5th 1068 [non-citable]; Ventura County Superior Court; 2014011115)
#22-270 <i>People v. Walker</i> , S276220	(E077548; nonpublished opinion; Riverside County Superior Court; INF1402616)

The following case was transferred for reconsideration in light of *People v. Lynch* (2024) 16 Cal.5th 730 and *Erlinger v. United States* (2024) 602 U.S. 821:

#23-102 <i>People v. Luna</i> , S279024	(F082434, F082309; nonpublished opinion; Madera County Superior Court; MCR066495B; MCR066495A)
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Review in the following case, which was granted and held for *People v. Lynch* (2024) 16 Cal.5th 730, was dismissed:

#23-177 <i>People v. Navarro</i> , S280992	(H049055; nonpublished opinion; Santa Clara County Superior Court; C2007608)
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STATUS

***People v. Bankston*, S044739. *People v. Barrera*, S103358. *People v. Chhuon and Pan*, S105403.** The court vacated submission in *Bankston* and *Barrera* and directed the parties in these three automatic appeals to file supplemental briefs addressing the following questions: (1) Once a violation of Penal Code section 745, subdivision (a)(2) is established on direct appeal, is an analysis for harmless error required under article VI, section 13 of the California Constitution before relief can be granted under Penal Code section 745, subdivision (e)(2), regardless of whether there is a statutory obligation to

conduct a harmless error analysis under Penal Code section 745? (2) Does the Legislature have authority to declare that certain errors are a “miscarriage of justice” within the meaning of article VI, section 13 of the California Constitution and thereby obligate courts to reverse a judgment whenever such an error is found, even when the error in question would otherwise be subject to review for harmless error? (3) If a Racial Justice Act violation has occurred, is the defendant ineligible for the death penalty under Penal Code section 745, subdivision (e)(3) regardless of whether the violation was prejudicial? If so, would reversal of a death judgment under Penal Code section 745, subdivision (e)(3) without possibility of retrial on penalty be barred by the “Briggs Initiative” (Prop. 7, as approved by voters, Gen. Elec. (Nov. 7, 1978))?

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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.