



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

June 14, 2024

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## Summary of Cases Accepted and Related Actions During Week of June 10, 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.]*

**#24-98 *Hohenshelt v. Superior Court*, S284498.** (B327524; 99 Cal.App.5th 1319; Los Angeles County Superior Court; 20PSCV00827.) Petition for review after the Court of Appeal granted a petition for writ of mandate. This case presents the following issue: Does the Federal Arbitration Act (9 U.S.C. § 1 et seq.) preempt state statutes prescribing the procedures for paying arbitration fees and providing for forfeiture of the right to arbitrate if timely payment is not made by the party who drafted the arbitration agreement and who is required to pay such fees?

**#24-99 *Shear Development Co., LLC v. California Coastal Commission*, S284378.** (B319895; nonpublished opinion; San Luis Obispo County Superior Court; 20CV-0431.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. This case presents the following issue: What standard of review applies to a decision by the California Coastal Commission asserting appellate jurisdiction under Public Resources Code section 30603, where such jurisdiction depends on the Coastal Commission's disagreement with a local government's interpretation of its local coastal program?

**#24-100 *Brooklyn Restaurants, Inc. v. Sentinel Ins. Co., Ltd.*, S284887.** (D081132; 100 Cal.App.5th 1036; San Diego County Superior Court; 37-2020-00024865-CU-IC-CTL.) 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 *John's Grill, Inc. v. The Hartford Financial Services Group, Inc.*, S278481 (#23-58), which presents the following issues: (1) Is a grant of coverage for property loss or damage to covered property caused by a virus rendered illusory where it is limited by a condition that makes coverage applicable only if the virus is the result of one or more of a number of listed causes? (2) Is a conditional grant of coverage for property loss or

damage to covered property caused by a virus, including the cost of removal of the virus, triggered by cleaning surfaces in the covered property that are contaminated by the virus in the absence of physical alteration of the property?

**#24-101 *In re C.B.*, S284964.** (E082124; nonpublished opinion; San Bernardino County Superior Court; J282175.) Petition for review after the Court of Appeal affirmed an order in a juvenile dependency proceeding.

**#24-102 *In re L.G.*, S284817.** (E082177; nonpublished opinion; Riverside County Superior Court; RIJ2000046.) Petitions for review after the Court of Appeal affirmed an order in a juvenile dependency proceeding.

The court ordered briefing in *C.B.* and *L.G.* deferred pending decision in *In re Ja.O.*, S280572 (#23-153), which presents the following issue: Does the duty of a child welfare agency to inquire of extended family members and others about a child's potential Indian ancestry apply to children who are taken into custody under a protective custody warrant?

**#24-103 *People v. Cooper*, S284661.** (D082990; nonpublished opinion; San Bernardino County Superior Court; FSB046672.) 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 *In re Hernandez*, S282186 (#23-261), which presents the following issue: Does the totality of the circumstances establish that defendant meaningfully understood the immigration consequences of her plea?

**#24-104 *People v. Hendrix*, S284840.** (F086169; nonpublished opinion; Kern County Superior Court; BF140718B.) Petition for review after the Court of Appeal affirmed in part and reversed in part an order granting a post-judgment motion in a criminal matter and remanded for further proceedings.

**#24-105 *People v. Torres*, S284979.** (H050651; nonpublished opinion; Santa Clara County Superior Court; C1076422.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses and remanded for further proceedings.

The court ordered briefing in *Hendrix* and *Torres* deferred pending decision in *People v. Lopez*, S281488 (#23-218), which presents the following issue: Is defendant entitled to retroactive application of Assembly Bill No. 333 (2021–2022 Reg. Sess.) where he appeals for a second time after his judgment was conditionally reversed and the Court of Appeal issued a limited remand to the trial court to address sentencing issues?

**#24-106 *People v. Patterson*, S284836.** (G061630; nonpublished opinion; Orange County Superior Court; 95HF0300.) 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. Emanuel*, S280551 (#23-174), which presents the following issue: Does sufficient evidence support the trial court's finding that defendant acted with reckless indifference to human life and therefore was ineligible for resentencing pursuant to Penal Code section 1172.6?

**#24-107 *People v. Sanchez*, S284629.** (H050599; nonpublished opinion; Monterey County Superior Court; 21CR002655.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. 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).

#### SEPARATE STATEMENT ON DENIAL OF REVIEW

*In re A.G.*, S284330. (B321717; nonpublished opinion; Los Angeles County Superior Court; MJ25062.) Petition for review after the Court of Appeal affirmed an order in a juvenile wardship proceeding.

*People v. Powell*, S284418. (A167066; nonpublished opinion; Alameda County Superior Court; 171602A.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#### DISPOSITIONS

Review in the following cases, which were granted and held for *People v. Hardin* (2024) 15 Cal.5th 834, was dismissed:

<b>#23-64 <i>People v. Alvarez</i>, S278726</b>	(B317490; nonpublished opinion; Ventura County Superior Court; 2014023475)
<b>#23-248 <i>People v. Alvez</i>, S282271</b>	(B325218; nonpublished opinion; Ventura County Superior Court; CR38932)
<b>#23-161 <i>People v. Anchondo</i>, S280692</b>	(F084372; nonpublished opinion; Tulare County Superior Court; VCF109724-03)

#24-35 <i>People v. Barrascout</i> , S283134	(B325028; nonpublished opinion; Ventura County Superior Court; CR26509)
#23-95 <i>People v. Bejarano</i> , S279311	(H047892; nonpublished opinion; Santa Clara County Superior Court; F1554600)
#23-194 <i>People v. Brooks</i> , S281645	(A165428; nonpublished opinion; Alameda County Superior Court; 143257A)
#23-162 <i>People v. Buchanan</i> , S280745	(B316996; nonpublished opinion; Los Angeles County Superior Court; BA450667)
#24-11 <i>People v. Cardenas</i> , S283014	(H050411; nonpublished opinion; Santa Clara County Superior Court; 113917)
#24-53 <i>People v. Casares</i> , S283660	(E081067; nonpublished opinion; San Bernardino County Superior Court; FVA018711)
#24-2 <i>People v. Chappell</i> , S282836	(B325387; nonpublished opinion; Ventura County Superior Court; CR22466)
#23-213 <i>People v. Clark</i> , S281956	(A165985; nonpublished opinion; Sonoma County Superior Court; SCR145821)
#24-43 <i>People v. Collins</i> , S283490	(C097619; nonpublished opinion; Sacramento County Superior Court; 98F10648)
#23-195 <i>People v. Edwards</i> , S281505	(F083956; nonpublished opinion; Tulare County Superior Court; VCF300146)

<b>#23-235 <i>People v. Espinoza</i>, S282341</b>	(F084093; nonpublished opinion; Fresno County Superior Court; F18904320)
<b>#24-28 <i>People v. Esquivias</i>, S283283</b>	(B325929; nonpublished opinion; Los Angeles County Superior Court; TA037378)
<b>23-196 <i>People v. Etherton</i>, S281389</b>	(C093209; nonpublished opinion; San Joaquin County Superior Court; LODCRFECOD20170000572)
<b>#23-96 <i>People v. Evans</i>, S279335</b>	(B319762; nonpublished opinion; Los Angeles County Superior Court; MA007943)
<b>#23-5 <i>People v. Garcia</i>, S276858</b>	(A161579, A161644; 83 Cal.App.5th 240; Alameda County Superior Court; 617384E)
<b>#24-36 <i>People v. Huelzo</i>, S283401</b>	(B324331; nonpublished opinion; Los Angeles County Superior Court; LA062282)
<b>#23-214 <i>People v. Jackson</i>, S282031</b>	(E080543; nonpublished opinion; San Bernardino County Superior Court; VCR351)
<b>#23-97 <i>People v. Ngo</i>, S279458</b>	(E078723; 89 Cal.App.5th 116; San Bernardino County Superior Court; FCH04170)
<b>#23-228 <i>People v. Palumbo</i>, S282057</b>	(D081085; nonpublished opinion; San Diego County Superior Court; ECR12126)
<b>#23-205 <i>People v. Parker</i>, S281258</b>	(F085642; nonpublished opinion; Merced County Superior Court; SUF23393B)

<b>#23-267 <i>People v. Poncio</i>, S282701</b>	(G061931; nonpublished opinion; Orange County Superior Court; 00CF3110)
<b>#23-249 <i>People v. Salgado</i>, S282495</b>	(E080948; nonpublished opinion; San Bernardino County Superior Court; RCR18862)
<b>#24-44 <i>People v. Walz</i>, S283574</b>	(E080712; nonpublished opinion; San Bernardino County Superior Court; SCR41000)
<b>#23-182 <i>People v. Washington</i>, S281298</b>	(A166126; nonpublished opinion; Alameda County Superior Court; H53084A)

Review in the following case, which was granted and held for *People v. Hardin* (2024) 15 Cal.5th 834 and *People v. Rojas* (2023) 15 Cal.5th 561, was dismissed:

<b>#23-81 <i>People v. Sutton</i>, S278770</b>	(F079285; nonpublished opinion; Kern County Superior Court; BF165091B)
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The following cases were transferred for reconsideration in light of *People v. Hardin* (2024) 15 Cal.5th 834:

<b>#24-3 <i>People v. Rios</i>, S282971</b>	(B326828; nonpublished opinion; Los Angeles County Superior Court; VA091171)
<b>#23-116 <i>People v. Wilson</i>, S279278</b>	(B322501; nonpublished opinion; Riverside County Superior Court; INF1500163)

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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.*