



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

June 23, 2023

Summary of Cases Accepted and Related Actions During Week of June 20, 2023

[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.]

#23-126 *People v. Chagolla*, S279679. (D079231; nonpublished opinion; Riverside County Superior Court; BAF1700629.) 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 decision in *People v. Rojas*, S275835 (#22-276), which presents the following issue: Does Assembly Bill No. 333 (Stats. 2021, ch. 699) unconstitutionally amend Proposition 21, if applied to the gang-murder special circumstance (Pen. Code, § 190.2, subd. (a)(22))?

#23-127 *People v. Mendez*, S279762. (B318512; nonpublished opinion; Los Angeles County Superior Court; KA004460.) 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. Reyes*, S270723 (#21-509), which presents the following issues: (1) Does substantial evidence support the conclusion that petitioner acted with implied malice? (2) Does substantial evidence support the conclusion that petitioner's actions constituted murder or aided and abetted murder?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Delgadillo* (2022) 14 Cal.5th 216:

#20-294 <i>People v. Cole</i>, S264278	(B304329; 52 Cal.App.5th 1023 [non-citable]; Los Angeles County Superior Court; NA061968)
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#21-516 <i>People v. Jimenez</i> , S270925	(H047776; nonpublished opinion; Santa Clara County Superior Court; CC272706)
#21-548 <i>People v. Perry</i> , S271473	(C093086; nonpublished opinion; Sacramento County Superior Court; 08F05978)

The following cases were transferred for reconsideration in light of *People v. Delgadillo* (2022) 14 Cal.5th 216 and Senate Bill No. 775 (Stats. 2021, ch. 551):

#21-329 <i>People v. Coleman</i> , S268865	(C092416; nonpublished opinion; Sacramento County Superior Court; CR118468)
#21-135 <i>People v. Scott</i> , S266853	(E074939; 58 Cal.App.5th 1127 [non-citable]; Riverside County Superior Court; RIF103852)

The following cases were transferred for reconsideration in light of *People v. Delgadillo* (2022) 14 Cal.5th 216 and *People v. Lewis* (2021) 11 Cal.5th 952:

#21-221 <i>People v. Contreras</i> , S268035	(E074711; nonpublished opinion; Riverside County Superior Court; CR27580)
#21-44 <i>People v. Ruiz</i> , S265797	(B301477; nonpublished opinion; Los Angeles County Superior Court; BA232116)

The following case was transferred for reconsideration in light of *People v. Delgadillo* (2022) 14 Cal.5th 216 and Assembly Bill No. 518 (Stats. 2021, ch. 441):

#21-500 <i>People v. Samayoa</i> , S270605	(H047865; nonpublished opinion; Santa Clara County Superior Court; F1554476)
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Review in the following case, which was granted and held for *People v. Delgadillo* (2022) 14 Cal.5th 216 and *People v. Lewis* (2021) 11 Cal.5th 952, was dismissed:

#21-269 <i>People v. Sanders</i>, S267735	(B307031; nonpublished opinion; Los Angeles County Superior Court; TA094940)
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Review in the following case was dismissed at the request of the parties in light of the settlement of the matter:

#21-436 *Los Angeles Times Communications, LLC v. State Bar of California*, S269401.

STATUS

People v. Rodriguez, S052210. The court granted appellant's application for a stay in this automatic appeal and ordered a limited remand to the superior court for consideration of a petition for resentencing pursuant to Penal Code section 1172.6.

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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.