



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

July 28, 2023

Summary of Cases Accepted and Related Actions During Week of July 24, 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.]

#23-153 *In re Ja.O.*, S280572. (E079651; 91 Cal.App.5th 672; San Bernardino County Superior Court; J291035.) Petition for review after the Court of Appeal affirmed orders in a juvenile dependency proceeding. This case 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?

#23-154 *Naranjo v. Doctors Medical Center of Modesto, Inc.*, S280374. (F083197; 90 Cal.App.5th 1193; Stanislaus County Superior Court; CV-21-001363.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents issues concerning the application of the Unfair Competition Law (Bus. & Prof. Code, § 17200 et seq.) and the Consumers Legal Remedies Act (Civ. Code, § 1750 et seq.) to evaluation and management services fees charged by hospitals.

#23-155 *Capito v. San Jose Healthcare System LP*, S279862. (H049022; nonpublished opinion; Santa Clara County Superior Court; 20CV366981.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does a hospital have a duty to disclose emergency room fees to patients beyond its statutory duty to make its chargemaster publicly available?

#23-156 *Capito v. San Jose Healthcare System LP*, S280018. (H049646; nonpublished opinion; Santa Clara County Superior Court; 20CV366981.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does a hospital have a duty to disclose emergency room fees to patients beyond its statutory duty to make its chargemaster publicly available?

#23-157 *People v. Brewer*, S280503. (F082631; nonpublished opinion; Fresno County Superior Court; F19902558.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Mumin*, S271049 (#21-520), which presents the following issues: Did the trial court err by providing a kill zone instruction? Did the Court of Appeal apply the proper standard of review under *People v. Canizales* (2019) 7 Cal.5th 591 in holding the trial court did not err in providing the kill zone instruction? and pending decision in *People v. Salazar*, S275788 (#22-264), which presents the following issue: Did the Court of Appeal err by finding the record clearly indicates the trial court would not have imposed a low term sentence if it had been fully aware of its discretion under newly-added subdivision (b)(6) of Penal Code section 1170? (See *People v. Gutierrez* (2014) 58 Cal.4th 1354, 1391.)

#23-158 *People v. Ngissah*, S280619. (C095346; nonpublished opinion; Sacramento County Superior Court; 20FE001921.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Lynch*, S274942 (#22-217), which presents the following issue: What prejudice standard applies on appeal when determining whether a case should be remanded for resentencing in light of newly-enacted Senate Bill No. 567 (Stats. 2021, ch. 731)?

#23-159 *In re Robert F.*, S279743. (E080073; 90 Cal.App.5th 492; Riverside County Superior Court; SWJ1900756.) Petition for review after the Court of Appeal affirmed an order in a juvenile proceeding. The court ordered briefing 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?

STATUS

#21-198 *People v. Flores*, S267522. The court ordered briefing in this case, in which briefing was previously deferred pending decision in *People v. Tacardon* (2022) 14 Cal.5th 235, on the following issue: Was defendant's detention supported by reasonable suspicion that he was engaged in criminal activity?

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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.