



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
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NEWS RELEASE

Contact: [Cathal Conneely](mailto:Cathal.Conneely@courts.ca.gov), 415-865-7740

FOR IMMEDIATE RELEASE

July 31, 2020

Summary of Cases Accepted and Related Actions During Week of July 27, 2020

[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.]

#20-198 *Lopez v. Ledesma*, S262487. (B284452; 46 Cal.App.5th 980; Los Angeles County Superior Court; BC519180.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case includes the following issue: Was a physician's assistant who treated a patient without direct physician supervision entitled to invoke the limitations of Civil Code section 3333.2 on noneconomic damages?

#20-199 *People v. Baqir*, S262367. (B297662; nonpublished opinion; Los Angeles County Superior Court; YA023242.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#20-200 *People v. Condiff*, S262884. (B296181; nonpublished opinion; Los Angeles County Superior Court; GA051505.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#20-201 *People v. Garrett*, S262787. (B298495; nonpublished opinion; Los Angeles County Superior Court; A955129.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#20-202 *People v. Phillips*, S263008. (E072762; nonpublished opinion; Riverside County Superior Court; RIF079858.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

The court ordered briefing in *Baqir*, *Condiff*, *Garrett*, and *Phillips* deferred pending decision in *People v. Lewis*, S260598 (#20-78), which presents the following issues: (1) May superior courts consider the record of conviction in determining whether a defendant has made a prima facie showing of eligibility for relief under Penal Code

section 1170.95? (2) When does the right to appointed counsel arise under Penal Code section 1170.95, subdivision (c)?

#20-203 *People v. Dennis, S262184.* (G055930; 47 Cal.App.5th 838; Orange County Superior Court; 12CF1469.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Lopez, S258175* (#19-172), which presents the following issues: (1) Does Senate Bill No. 1437 (Stats. 2018, ch. 1015) apply to attempted murder liability under the natural and probable consequences doctrine? (2) In order to convict an aider and abettor of attempted willful, deliberate and premeditated murder under the natural and probable consequences doctrine, must a premeditated attempt to murder have been a natural and probable consequence of the target offense? In other words, should *People v. Favor* (2012) 54 Cal.4th 868 be reconsidered in light of *Alleyne v. United States* (2013) 570 U.S. 99 and *People v. Chiu* (2014) 59 Cal.4th 155?

#20-204 *People v. Velez, S263004.* (B296452; nonpublished opinion; Los Angeles County Superior Court; KA072076.) 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 *In re Gadlin, S254599* (#19-53), which includes the following issue: Under Proposition 57 (Cal. Const., art. I, § 32), may the California Department of Corrections and Rehabilitation categorically exclude from early parole consideration all prisoners who have been previously convicted of a sex offense requiring registration under Penal Code section 290?

DISPOSITIONS

Review in the following cases, which were granted and held for *People v. Frahs* (2020) 9 Cal.5th 618, was dismissed:

#19-55 <i>People v. MacKenzie, S255184.</i>	(B282720; nonpublished opinion; Los Angeles County Superior Court; YA089418)
#19-76 <i>People v. Rios, S255361.</i>	(D074698; nonpublished opinion; Riverside County Superior Court; BAF1600486)
#19-84 <i>People v. Knight, S256081.</i>	(B284886; nonpublished opinion; Los Angeles County Superior Court; BA444204)
#19-85 <i>People v., Williams, S255686.</i>	(B290706; nonpublished opinion; Los Angeles County Superior Court; BA465517)

#19-90 <i>People v. Propps, S256322.</i>	(B281522; nonpublished opinion; Los Angeles County Superior Court; NA104701)
#19-98 <i>People v. Quarker, S256412.</i>	(E070332; nonpublished opinion; San Bernardino County Superior Court; FWV17004798)
#19-99 <i>People v. Zayas, S255273.</i>	(B290897; nonpublished opinion; Los Angeles County Superior Court; MA069954)
#19-101 <i>People v. Booker, S256078.</i>	(B286842; nonpublished opinion; Los Angeles County Superior Court; GA099455)
#19-106 <i>People v. Cravens, S256790.</i>	(C086134; nonpublished opinion; Shasta County Superior Court; 17F2783)
#19-107 <i>People v., Magallon, S256647.</i>	(E069524; nonpublished opinion; Riverside County Superior Court; RIF1602770)
#19-131 <i>People v. Abt, S257028.</i>	(D073321; nonpublished opinion; San Diego County Superior Court; SCD269892)
#19-134 <i>People v. Lopez, S256957.</i>	(B290344; nonpublished opinion; Los Angeles County Superior Court; PA087591)
#19-144 <i>People v. Mascio, S257184.</i>	(D075553; nonpublished opinion; Riverside County Superior Court; RIF1700753)
#19-154 <i>People v. Spencer, S257540.</i>	(E070520; nonpublished opinion; Riverside County Superior Court; INF1702163)
#19-155 <i>People v. Wells, S257599.</i>	(D073814; nonpublished opinion; San Diego County Superior Court; SCD272957)
#19-159 <i>People v. Weaver, 257049.</i>	(H045301; 36 Cal.App.5th 1103; Santa Cruz County Superior Court; 16CR04023)
#19-166 <i>People v. Burns, S257738.</i>	(D074536; 38 Cal.App.5th 776; San Diego County Superior Court; SCD273861)
#19-157 <i>People v. Devalle, S257939.</i>	(A153804; nonpublished opinion; San Francisco County Superior Court; SCN225709)
#19-178 <i>People v. Murillo, S258250.</i>	(A153536; nonpublished opinion; San Francisco County Superior Court; SCN227380)
#19-179 <i>People v. Ruth, S258366.</i>	(B289124; nonpublished opinion; Los Angeles County Superior Court; NA105943)

#19-186 <i>People v. Bencoma</i>, S258120.	(F069466; nonpublished opinion; Inyo County Superior Court; MBCRF2016600141)
#19-202 <i>People v. Hernandez</i>, S258616.	(E070394; nonpublished opinion; Riverside County Superior Court; SWF1707689)
#19-203 <i>People v. Hughes</i>, S258541.	(A154196; 39 Cal.App.5th 886; Solano County Superior Court; FCR285903)
#19-204 <i>People v. Jenkins</i>, S258729.	(D073662; 40 Cal.App.5th 30; San Diego County Superior Court; SCD270678, SCD272046)
#19-205 <i>People v. Polanco</i>, S257956.	(B290268; nonpublished opinion; Los Angeles County Superior Court GA102792)
#19-206 <i>People v. Tromp</i>, S258730.	(E070705; nonpublished opinion; Riverside County Superior Court; SWF1401307)
#20-05 <i>People v. Johnson</i>, S259347.	(B291454; nonpublished opinion; Los Angeles County Superior Court; BA450691)
#20-07 <i>People v. Mabrok</i>, S259181.	(G056251; nonpublished opinion; Orange County Superior Court; 11HF3038)
#20-08 <i>People v. Meier</i>, S259175.	(D074589; nonpublished opinion; San Diego County Superior Court; SCD274701)
#20-20 <i>People v. Pool</i>, S259094.	(H045567; nonpublished opinion; Santa Clara County Superior Court; C1769254)
#20-29 <i>People v. Geer</i>, S259742.	(E070812; nonpublished opinion; Riverside County Superior Court; SWF1707027)
#20-54 <i>People v. Lopez</i>, S260098.	(C087269; nonpublished opinion; Yolo County Superior Court; CRF173237)
#20-58 <i>People v. Calderon-Lopez</i>, S260251.	(A156607; nonpublished opinion; Lake County Superior Court; CR928905.)
#20-59 <i>People v. Deiner</i>, S260282.	(E071193; nonpublished opinion; San Bernardino County Superior Court; FWV1400027)
#20-68 <i>People v. Palkovic</i>, S260397.	(D074342; nonpublished opinion; San Diego County Superior Court; SCD273174)
#20-86 <i>People v. Scott</i>, S260564.	(D074334; nonpublished opinion; San Diego County Superior Court; SCD272793)
#20-137 <i>People v. Reddick</i>, S261664.	(C086057; nonpublished opinion; Sacramento County Superior Court; 13F07409)

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.