



Supreme Court of California  
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**NEWS RELEASE**

Contact: [Merrill Balassone](mailto:Merrill.Balassone@judicialbranch.ca.gov), 415-865-7740

**FOR IMMEDIATE RELEASE**

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## **Summary of Cases Accepted and Related Actions During Week of July 28, 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.]*

**#25-268 *People v. Andrews*, S290832.** (F088013; nonpublished opinion; Tulare County Superior Court; VCF142325.) Petition for review after the Court of Appeal remanded for recalculation of presentence credits, and otherwise affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter. This case presents the following issues: (1) If a trial court recalls a defendant's sentence upon recommendation of the Secretary of the Department of Corrections and Rehabilitation pursuant to Penal Code section 1172.1, is there a presumption that the defendant will not be resentenced to the same effective term? (2) Did the trial court abuse its discretion by resentencing defendant to the same effective term?

**#25-269 *People v. Duenas*, S291631.** (B335274; 111 Cal.App.5th 553; Los Angeles County Superior Court; BA347638.) Petition for review after the Court of Appeal reversed a post-judgment order in a criminal matter and remanded for resentencing. The court ordered briefing deferred pending decision in *People v. Esquivias*, S286371 (#24-189), which presents the following issue: Does the issuance of an order to show cause to review one aspect of a defendant's sentence in habeas corpus proceedings render applicable all ameliorative laws taking effect after the defendant's judgment became final?

**#25-270 *Osuna v. Spectrum Security Services, Inc.*, S291614.** (B338047; 111 Cal.App.5th 516; Ventura County Superior Court; 2023CUOE015333.) Petition for review after the Court of Appeal affirmed in part and reversed in part an order in a civil action and remanded for further proceedings. The court ordered briefing deferred pending decision in *Leeper v. Shipt, Inc.*, S289305 (#25-91), which presents the following issues: (1) Does every Private Attorneys General Act (Lab. Code, § 2698 et

seq.) (PAGA) action necessarily include both individual and non-individual PAGA claims, regardless of whether the complaint specifically alleges individual claims?  
 (2) Can a plaintiff choose to bring only a non-individual PAGA action?

**#25-271 *People v. Padilla*, S291633.** (B337717; nonpublished opinion; Los Angeles County Superior Court; BA352986.) 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.

**#25-272 *People v. Prado*, S291444.** (B334750; nonpublished opinion; Los Angeles County Superior Court; BA159466.) 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 *Padilla* and *Prado* deferred pending decision in *People v. Munoz*, S290828 (#25-209), which presents the following issue: Is a juvenile homicide offender sentenced to 50 years to life in prison entitled to recall and resentencing under Penal Code section 1170, subdivision (d)(1) on the ground that the sentence is the functional equivalent of life imprisonment without parole?

**#25-273 *People v. Quevedo*, S291649.** (B335436; nonpublished opinion; Los Angeles County Superior Court; BA456662.) 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. Fletcher*, S281282 (#23-188), which presents the following issues: (1) Does Assembly Bill No. 333 amend the requirements for a true finding on a prior strike conviction (Pen. Code, §§ 667, subds. (b)–(i) & 1170.12, subds. (a)–(d)) and a prior serious felony conviction (Pen. Code, § 667, subd. (a)), or is that determination made on “the date of that prior conviction”? (See Pen. Code, §§ 667, subd. (d)(1) & 1170.12, subd. (b)(1).) (2) Does Assembly Bill No. 333 (Stats. 2021, ch. 699), which modified the criminal street gang statute (Pen. Code, § 186.22), unconstitutionally amend Proposition 21 and Proposition 36, if applied to strike convictions and serious felony convictions?

### DISPOSITIONS

Review in the following cases, which were granted and held for *People v. Rhodius* (2025) 17 Cal.5th 1050, was dismissed:

<b>#25-64 <i>People v. Goodson</i>, S289189</b>	(E083070; nonpublished opinion; Riverside County Superior Court; CR61218)
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<b>#25-230 <i>People v. Lewis</i>, S291065</b>	(E082976; nonpublished opinion; Riverside County Superior Court; RIF099009)
<b>#25-9 <i>People v. Turner</i>, S288236</b>	(D082925; nonpublished opinion; San Diego County Superior Court; SCD277197)

### STATUS

**#24-209 *People v. Espino*, S286987.** In this case in which briefing was previously deferred pending decision in *People v. Rhodius* (2025) 17 Cal.5th 1050, the court ordered briefing on the following question: Is a defendant entitled to resentencing under Penal Code section 1172.75 when the judgment in the defendant's criminal case includes a prior-prison-term enhancement that was imposed but for which punishment was stricken?

In the following cases, in which briefing was previously deferred pending decision in *People v. Rhodius* (2025) 17 Cal.5th 1050, the court ordered briefing deferred pending decision in *People v. Espino*, S286987 (#24-209), which presents the following issue: Is a defendant entitled to resentencing under Penal Code section 1172.75 when the judgment in the defendant's criminal case includes a prior-prison-term enhancement that was imposed but for which punishment was stricken?

<b>#25-4 <i>People v. Barragan</i>, S288249</b>	(H051284; nonpublished opinion; Santa Clara County Superior Court; C1518497)
<b>#25-119 <i>People v. Barron</i>, S289872</b>	(G063823; nonpublished opinion; Orange County Superior Court; 96WF0141)
<b>#25-133 <i>People v. Brown</i>, S289832</b>	(G063548; nonpublished opinion; Orange County Superior Court; 94NF2864)
<b>#24-198 <i>People v. Bruno</i>, S286692</b>	(D083230; nonpublished opinion; San Diego County Superior Court; SCE353334)

<b>#25-225 <i>People v. Cabrera</i>, S291295</b>	(G063762; nonpublished opinion; Orange County Superior Court; 96WF2465)
<b>#25-152 <i>People v. Canter</i>, S290360</b>	(G063551; nonpublished opinion; Orange County Superior Court; 10WF2706)
<b>#25-75 <i>People v. Caraballo</i>, S289369</b>	(G063577; nonpublished opinion; Orange County Superior Court; 00WF2458)
<b>#25-153 <i>People v. Cephus</i>, S290363</b>	(G063542; nonpublished opinion; Orange County Superior Court; 13NF3319)
<b>#25-154 <i>People v. Collins</i>, S290342</b>	(G063537; nonpublished opinion; Orange County Superior Court; 13NF3319)
<b>#25-155 <i>People v. Cortez</i>, S290007</b>	(G063801; nonpublished opinion; Orange County Superior Court; 07WF1609)
<b>#25-226 <i>People v. Covarrubias</i>, S291237</b>	(D083598; nonpublished opinion; Riverside County Superior Court; RIF1404661)
<b>#25-227 <i>People v. Curtis</i>, S291266</b>	(D083739; nonpublished opinion; Riverside County Superior Court; INF1600384)
<b>#25-69 <i>People v. Delgado</i>, S289246</b>	(G063539; nonpublished opinion; Orange County Superior Court; 95NF0229)
<b>#25-156 <i>People v. Echard</i>, S290029</b>	(G063570, G062890; nonpublished opinion; Orange County Superior Court; 11NF2167)

<b>#25-59 <i>People v. Esparza</i>, S288797</b>	(E082942; nonpublished opinion; Riverside County Superior Court; SWF10001676)
<b>#25-97 <i>People v. Felix</i>, S289764</b>	(G063658; nonpublished opinion; Orange County Superior Court; 96HF1035)
<b>#25-70 <i>People v. Fuentes</i>, S288936</b>	(G063648; nonpublished opinion; Orange County Superior Court; 15CF2362)
<b>#25-49 <i>People v. Garcia</i>, S288489</b>	(G063631; nonpublished opinion; Orange County Superior Court; 10NF3235)
<b>#25-99 <i>People v. Gentry</i>, S289807</b>	(G063651; nonpublished opinion; Orange County Superior Court; 96NF1288)
<b>#25-183 <i>People v. Hill</i>, S290600</b>	(G063803; nonpublished opinion; Orange County Superior Court; 12WF1939)
<b>#25-212 <i>People v. Hunt</i>, S290968</b>	(G063643; nonpublished opinion; Orange County Superior Court; 02NF0712)
<b>#24-215 <i>People v. Jimenez</i>, S287161</b>	(H051253; nonpublished opinion; Santa Clara County Superior Court; CC272706)
<b>#25-27 <i>People v. Koger</i>, S288539</b>	(H051467; nonpublished opinion; Santa Clara County Superior Court; C1359290)
<b>#25-160 <i>People v. Lamb</i>, S290446</b>	(G063640; nonpublished opinion; Orange County Superior Court; 15WF0905)

<b>#25-78 <i>People v. Lopez</i>, S289262</b>	(E082898; nonpublished opinion; Riverside County Superior Court; SWF1600815)
<b>#25-213 <i>People v. Martinez</i>, S290722</b>	(G063650; nonpublished opinion; Orange County Superior Court; 02CF0725)
<b>#25-103 <i>People v. McBath</i>, S289357</b>	(G063649; nonpublished opinion; Orange County Superior Court; 94WF1546)
<b>#25-185 <i>People v. Miller</i>, S290637</b>	(A169511; nonpublished opinion; Contra Costa County Superior Court; 05009711573)
<b>#25-81 <i>People v. Miranda</i>, S289304</b>	(G063635; nonpublished opinion; Orange County Superior Court; 99CF0899)
<b>#25-138 <i>People v. Morales</i>, S290263</b>	(G063776; nonpublished opinion; Orange County Superior Court; 13NF3001)
<b>#25-163 <i>People v. Navarro</i>, S290268</b>	(H051272; nonpublished opinion; Santa Clara County Superior Court; F1556292)
<b>#25-164 <i>People v. Orozco</i>, S289892</b>	(G063545; nonpublished opinion; Orange County Superior Court; 17NF2543)
<b>#25-165 <i>People v. Orozco</i>, S290069</b>	(G063769; nonpublished opinion; Orange County Superior Court; 16CF2201)
<b>#25-139 <i>People v. Orozco</i>, S290096</b>	(G063386; nonpublished opinion; Orange County Superior Court; 04NF0055)

<b>#25-186 <i>People v. Perez</i>, S290810</b>	(E082994; nonpublished opinion; Riverside County Superior Court; RIF1702047)
<b>#25-201 <i>People v. Pizano</i>, S290541</b>	(E083084; nonpublished opinion; Riverside County Superior Court; BAF1900023)

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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.*