



Supreme Court of California  
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**NEWS RELEASE**

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

**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions During Week of September 27, 2021

*[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.]*

**#21-479 *People v. Arias*, S270555.** (D077778; 66 Cal.App.5th 987; Riverside County Superior Court; RIF111846.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

**#21-480 *People v. Pineda*, S270513.** (H047709; 66 Cal.App.5th 792; Santa Clara County Superior Court; CC319535.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

**#21-481 *People v. Zuniga*, S270348.** (B306037; nonpublished opinion; Los Angeles County Superior Court; VA114995.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter.

The court ordered briefing in *Arias*, *Pineda*, and *Zuniga* deferred pending decision in *People v. Strong*, S266606 (#21-101), which presents the following issue: Does a felony-murder special circumstance finding (Pen. Code, § 190.2, subd. (a)(17)) made before *People v. Banks* (2015) 61 Cal.4th 788 and *People v. Clark* (2016) 63 Cal.4th 522 preclude a defendant from making a prima facie showing of eligibility for relief under Penal Code section 1170.95?

**#21-482 *In re C.R.*, S270498.** (H047991; nonpublished opinion; Santa Clara County Superior Court; C2000522, C9937403.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus.

**#21-483 *In re Guice*, S270524.** (H047989; 66 Cal.App.5th 933; Monterey County Superior Court; SS100975A, SS110737B, SS130742, 19HC000143.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus.

The court ordered briefing in *C.R.* and *Guice* deferred pending decision in *In re Mohammad*, S259999 (#20-52), which presents the following issue: Is a prisoner serving a sentence for a combination of violent and nonviolent felonies eligible for early parole consideration under the provisions of Proposition 57 following completion of the term for his or her primary offense?

**#21-484 *People v. Hoang*, S270553.** (H046550; nonpublished opinion; Santa Clara County Superior Court; C1370251.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

**#21-485 *People v. Roessler*, S269975.** (C090009; nonpublished opinion; San Joaquin County Superior Court; MANCRFE20130001315, MF036585B.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

The court ordered briefing in *Hoang* and *Roessler* deferred pending decision in *People v. Tirado*, S257658 (#19-174), which presents the following issue: Can the trial court impose an enhancement under Penal Code section 12022.53, subdivision (b), for personal use of a firearm, or under section 12022.53, subdivision (c), for personal and intentional discharge of a firearm, as part of its authority under section 1385 and subdivision (h) of section 12022.53 to strike an enhancement under subdivision (d) for personal and intentional discharge of a firearm resulting in death or great bodily injury, even if the lesser enhancements were not charged in the information or indictment and were not submitted to the jury?

**#21-486 *People v. Hulbert*, S270510.** (B305259; nonpublished opinion; Los Angeles County Superior Court; NA067335.) 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. 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?

**SEPARATE STATEMENT ON DENIAL OF REVIEW**

***In re Joshua S., S269868.*** (F082100; nonpublished opinion; Stanislaus County Superior Court; JVDP-20-000181.) Petition for review after the Court of Appeal affirmed an order in a juvenile dependency proceeding.

**DISPOSITIONS**

Review in the following cases, which were granted and held for *People v. Lewis* (2021) 11 Cal.5th 952, was dismissed:

<b>#20-149 <i>People v. Alvarez, S262309.</i></b>	(B298813; nonpublished opinion; Los Angeles County Superior Court; A713630)
<b>#20-182 <i>People v. Brown, S262657.</i></b>	(B299047; nonpublished opinion; Los Angeles County Superior Court; PA031009)
<b>#20-321 <i>People v. McCoy, S264645.</i></b>	(C089978; nonpublished opinion; Sacramento County Superior Court; 78299)
<b>#21-04 <i>People v. Aremu, S265913.</i></b>	(B300328; nonpublished opinion; Los Angeles County Superior Court; A390607)
<b>#21-161 <i>People v. Aranda, S267319.</i></b>	(B301114; nonpublished opinion; Los Angeles County Superior Court; A033571)
<b>#21-186 <i>People v. Brooks, S267425.</i></b>	(F079794; nonpublished opinion; Kern County Superior Court; BF111490A)
<b>#21-207 <i>People v. Bonds, S267729.</i></b>	(B301521; nonpublished opinion; Los Angeles Superior Court; BA271120)
<b>#21-208 <i>People v. Chavez, S267743.</i></b>	(B306079; nonpublished opinion; Los Angeles Superior Court; KA074077)

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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.*