



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

October 18, 2024

Summary of Cases Accepted and Related Actions During Week of October 14, 2024

[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.]

#24-196 *Los Angeles County Employees Retirement Assn. v. County of Los Angeles*, S286264. (B326977; 102 Cal.App.5th 1167; Los Angeles County Superior Court; 21STCP03475.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issues: (1) Does the board of a county public employee retirement system established under the County Employees Retirement Law of 1937 (CERL) (Gov. Code, § 31450 et seq.) have authority under the California Constitution and relevant statutes to create employment classifications and set salaries for employees of the retirement system? (2) Does Government Code section 31522.1 impose a ministerial duty on a county board of supervisors to include in the county's employment classifications and salary ordinance the classifications and salaries adopted by the board of a county public employee retirement system for employees of that system? (3) Do Proposition 162 (Cal. Const., art. XVI, § 17) and CERL override a county board of supervisors' constitutional authority to establish civil service classifications, set salaries, and maintain a civil service system for county employees under article XI of the California Constitution?

#24-197 *People v. Banelos*, S286858. (B332327; nonpublished opinion; Los Angeles County Superior Court; SA017369.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#24-198 *People v. Bruno*, S286692. (D083230; nonpublished opinion; San Diego County Superior Court; SCE353334.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#24-199 *People v. Sanchez*, S286747. (D083438; nonpublished opinion; San Diego County Superior Court; SCE186438.) Petition for review after the Court of Appeal reversed an order granting in part and denying in part a post-judgment motion in a criminal matter and remanded for resentencing.

#24-200 *People v. Seanior*, S286849. (F086469; nonpublished opinion; Tulare County Superior Court; CR-13902-A.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

The court ordered briefing in *Banuelos*, *Bruno*, *Sanchez*, and *Seanior* deferred pending decision in *People v. Rhodius*, S283169 (#24-34), which presents the following issue: Does Senate Bill No. 483 (Stats. 2021, ch. 728) entitle a defendant to a full resentencing hearing under Penal Code section 1172.75 if the defendant's prior prison term enhancements (Pen. Code, § 667.5, subd. (b)) were imposed and stayed, rather than imposed and executed?

#24-201 *People v. Fava*, S286894. (E081336; nonpublished opinion; San Bernardino County Superior Court; FVI800549.) 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. Emanuel*, S280551 (#23-174), which presents the following issue: Does sufficient evidence support the trial court's finding that defendant acted with reckless indifference to human life and therefore was ineligible for resentencing pursuant to Penal Code section 1172.6?

#24-202 *People v. Martinez*, S286856. (E081737; nonpublished opinion; San Bernardino County Superior Court; FSB19003684.) Petition for review after the Court of Appeal reversed an order revoking probation in a criminal matter and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Mitchell*, S277314 (#22-305), which presents the following issue: Does Senate Bill No. 567 (Stats. 2021, ch. 731), which limits a trial court's discretion to impose upper term sentences, apply retroactively to defendants sentenced pursuant to stipulated plea agreements?

#24-203 *People v. Smith*, S286724. (E082184, E081229; nonpublished opinion; Riverside County Superior Court; INF1600624.) Petition for review after the Court of Appeal reversed orders denying post-judgment motions in a criminal matter and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Patton*, S279670 (#23-129), which presents the following issue: Did the trial court engage in impermissible judicial factfinding by relying on the preliminary hearing transcript to deny defendant's Penal Code section 1172.6 petition at the prima facie stage? (See *People v. Lewis* (2021) 11 Cal.5th 952.)

SEPARATE STATEMENT ON DENIAL OF REVIEW

People v. Doaifi, S286155. (G062098; nonpublished opinion; Orange County Superior Court; 18HF1302.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Lynch* (2024) 16 Cal.5th 730:

#23-53 <i>People v. Barnes</i>, S278427	(E077878; nonpublished opinion; Riverside County Superior Court; BAF1701103)
#23-112 <i>People v. Cole</i>, S279683	(B316819; nonpublished opinion; Los Angeles County Superior Court; BA492587)
#23-40 <i>People v. Cummings</i>, S278459	(B316538; nonpublished opinion; Los Angeles County Superior Court; TA148874)
#23-23 <i>People v. Diaz</i>, S277871	(G059723; nonpublished opinion; Orange County Superior Court; 18NF2130)
#23-41 <i>People v. Garcia</i>, S278513	(F083245; nonpublished opinion; Kern County Superior Court; BF184915A)
#23-7 <i>People v. Jaramillo</i>, S277475	(C094172; nonpublished opinion; San Joaquin County Superior Court; STKCRFDV20200007126)
#23-68 <i>People v. Martinez</i>, S278977	(F082991; nonpublished opinion; Tulare County Superior Court; VCF347222)
#22-321 <i>People v. Reynoso</i>, S277436	(F083359; nonpublished opinion; Kern County Superior Court; LF013051A)

#23-91 <i>People v. Rodriguez</i>, S279263	(H049398; nonpublished opinion; Monterey County Superior Court; 19CR012872)
#23-62 <i>People v. Smith</i>, S278603	(C095199; nonpublished opinion; Sacramento County Superior Court; 19FE017054)
#23-19 <i>People v. Steward</i>, S277702	(H046931; nonpublished opinion; Santa Clara County Superior Court; C1641635)
#22-269 <i>People v. Stiles</i>, S276173	(B311291; nonpublished opinion; San Luis Obispo County Superior Court; 19F-09422)
#23-103 <i>People v. Tamariz</i>, S279280	(B315223; nonpublished opinion; Los Angeles County Superior Court; LA088067)
#23-8 <i>People v. Whyte</i>, S277463	(A160769; nonpublished opinion; Sonoma County Superior Court; SCR7243081)

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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.