Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
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NEWS RELEASE **FOR IMMEDIATE RELEASE**
Contact: Merrill Balassone, 415-865-7740 October 30, 2026

Summary of Cases Accepted and Related Actions During Week of October 26, 2026

[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.]

#26-156 *Conservatorship of C.O.*, S298401. (A174646; 122 Cal.App.5th 317; Sonoma County Superior Court; 25PR00728.) Petition for review after the Court of Appeal affirmed the judgment in a conservatorship proceeding. This case presents the following issue: Must a proposed conservatee under the Lanterman-Petris-Short Act (Welf. & Inst. Code, § 5000 et seq.) personally waive the right to a jury trial?

#26-157 *Behrend v. San Francisco Zen Center Inc.*, S298484. (A171997; nonpublished opinion; San Francisco County Superior Court; CGC22602068.) Petition for review after the Court of Appeal reversed the judgment in a civil action. The court ordered briefing deferred pending decision in *Lorenzo v. San Francisco Zen Center*, S294565 (#26-19), which presents the following issue: Does the ministerial exception arising under the Religion Clauses of the First Amendment to the United States Constitution categorically preclude wage and hour claims by a minister against a religious organization without any inquiry into whether the claim touches upon any ecclesiastical concern?

#26-158 *People v. Cunningham*, S298711. (E086271; nonpublished opinion; Riverside County Superior Court; SWF1200117.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

#26-159 *People v. Gutierrez*, S298689. (A172793; nonpublished opinion; San Mateo County Superior Court; SC078145A.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

#26-160 *People v. Morman*, S298705. (B346490; nonpublished opinion; Los Angeles County Superior Court; YA030296.) Petition for review after the Court of Appeal affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

The court ordered briefing in *Cunningham*, *Gutierrez*, and *Morman* deferred pending decision in *People v. Eaton*, S289903 (#25-129), which presents the following issue: May a trial court reimpose a previously imposed upper term sentence under Penal Code section 1172.75, subdivision (d)(4) where the facts underlying one or more aggravating circumstances were neither stipulated to by the defendant nor found true beyond a reasonable doubt at trial by the jury or by the judge in a court trial (cf. Pen. Code, § 1170, subd. (b)(2); *id*., § 1172.75, subd. (d)(2))?

#26-161 *People v. Marples*, S298740. (D088034; nonpublished opinion; Riverside County Superior Court; BAF1700115.) Petition for review after the Court of Appeal dismissed the appeal from a post-judgment order in a criminal matter. The court ordered briefing deferred pending decision in *People v. Dixon*, S292223 (#25-311), which presents the following issues: (1) May a superior court modify a death judgment under the recall and resentencing procedure in Penal Code section 1172.75? (2) Did the Court of Appeal err in holding that the exclusivity provision of Penal Code section 1509 precludes modification of a death judgment under Penal Code section 1172.75? (3) Did the superior court have jurisdiction to resentence defendant pursuant to Penal Code section 1172.75 when his appeal was pending before this court?

DISPOSITIONS

Review in the following case, which was granted and held for *People v. Hin* (2025) 17 Cal.5th 401 and *People v. Bankston* (2026) 19 Cal.5th 786, was dismissed:

#23-141 *People v. Ramos*, S280073	(D074429; nonpublished opinion; San Diego County Superior Court; SCN365966)

The following case, which was granted and held for *People v. Hin* (2025) 17 Cal.5th 401 and *People v. Bankston* (2026) 19 Cal.5th 786, was transferred with directions to consider whether to conduct further proceedings:

#24-110 *People v. Montgomery*, S285041	(C096329; nonpublished opinion; Yolo County Superior Court; CR20212132)

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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.