



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

November 3, 2023

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## Summary of Cases Accepted and Related Actions During Week of October 30, 2023

*[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.]*

**#23-212 *People v. Allan*, S282046.** (D080414; nonpublished opinion; San Bernardino County Superior Court; FSB048987.) 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?

**#23-213 *People v. Clark*, S281956.** (A165985; nonpublished opinion; Sonoma County Superior Court; SCR145821.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#23-214 *People v. Jackson*, S282031.** (E080543; nonpublished opinion; San Bernardino County Superior Court; VCR351.) 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 *Clark* and *Jackson* deferred pending decision in *People v. Hardin*, S277487 (#23-1), which presents the following issues: (1) Does Penal Code section 3051, subdivision (h), violate the Equal Protection Clause of the Fourteenth Amendment by excluding young adults sentenced to life without the possibility of parole from youth offender parole consideration, while young adults sentenced to parole-eligible terms are entitled to such consideration? (2) Whether the first step of the two-part inquiry used to evaluate equal protection claims, which asks whether two or more groups are similarly situated for the purposes of the law challenged, should be eliminated in cases concerning disparate treatment of classes or groups of persons, such that the only

inquiry is whether the challenged classification is adequately justified under the applicable standard of scrutiny?

**#23-215 *People v. Lee*, S281785.** (C096700; nonpublished opinion; Nevada County Superior Court; F2000004.) Petition for review after the Court of Appeal affirmed an order revoking probation in a criminal matter. 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?

**#23-216 *Moran v. Prime Healthcare Management, Inc.*, S281746.** (G060920; 94 Cal.App.5th 166; Orange County Superior Court; 30-2013-00689394.) Petition for review after the Court of Appeal affirmed an order in a civil action. The court ordered briefing deferred pending decision in *Capito v. San Jose Healthcare System*, S280018 (#23-156), which presents the following issue: Does a hospital have a duty to disclose emergency room fees to patients beyond its statutory duty to make its chargemaster publicly available?

**#23-217 *Woodworth v. Loma Linda University Medical Center*, S281717.** (E072704; 93 Cal.App.5th 1038; San Bernardino County Superior Court; CIVDS1408640.) Petition for review after the Court of Appeal affirmed in part and reversed in part orders in a civil action. The court ordered briefing deferred pending decision in *Estrada v. Royalty Carpet Mills, Inc.*, S274340 (#22-170), which presents the following issue: Do trial courts have inherent authority to ensure that claims under the Private Attorneys General Act (Lab. Code, § 2698 et seq.) will be manageable at trial, and to strike or narrow such claims if they cannot be managed?; and *Camp v. Home Depot U.S.A., Inc.*, S277518 (#23-20), which presents the following issue: Under California law, are employers permitted to use neutral time-rounding practices to calculate employees' work time for payroll purposes?

#### DISPOSITIONS

Review in the following cases, which were granted and held for *Camacho v. Superior Court* (2023) 15 Cal.5th 354, was dismissed:

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| <b>#22-176 <i>People v. Ballardo</i>, S274469</b> | (B290567; nonpublished opinion; Los Angeles County Superior Court; ZM008237) |
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| <b>#23-169 <i>People v. Howard</i>, S281144</b> | (H047743; nonpublished opinion; Santa Clara County Superior Court; 196824)  |
| <b>#23-122 <i>In re Kerins</i>, S279933</b>     | (A165304; 89 Cal.App.5th 1084; San Francisco County Superior Court; 167206) |
| <b>#23-43 <i>People v. Sipe</i>, S278255</b>    | (A163611; nonpublished opinion; Alameda County Superior Court; 164341)      |

The following case was transferred for reconsideration in light of *Camacho v. Superior Court* (2023) 15 Cal.5th 354:

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| <b>#23-76 <i>People v. Hubbs</i>, S278810</b> | (D077636; nonpublished opinion; San Bernardino County Superior Court; FBABS700108) |
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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.*