Supreme Court of California
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NEWS RELEASE **FOR IMMEDIATE RELEASE**
Contact: Merrill Balassone, 415-865-7740 November 13, 2026

Summary of Cases Accepted and Related Actions During Week of November 9, 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.]

#26-162 ***Ari Law, P.C. v. Autonation.com, Inc.*****, S298951.** (A173620; 122 Cal.App.5th 898; San Mateo County Superior Court; 23CIV03497.) Petition for review after the Court of Appeal affirmed an order in a civil action. This case presents the following issues: (1) If a party serves an opposing party with a motion for sanctions under Code of Civil Procedure sections 128.5 or 128.7 that identifies a hearing date different from the date identified in the motion subsequently filed with the court, is the motion for sanctions still effective? (2) If not, can the defect be waived or found harmless?

#26-163 ***Coleman v. United Services Automobile Assn.*****, S298496.** (9th Cir. No. 25-793; 191 F.4th 953; Southern District of California; No. 3:21-cv-00217-RSH-KSC.) Request under California Rules of Court, rule 8.548, that this court decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The questions presented are: (1) Does Insurance Code section 1861.16, subdivision (b) prohibit insurers that provide insurance under section 11628, subdivision (f)(1) from offering lower rates to servicemembers of higher rank, but higher rates to those of lower rank? If not, does Insurance Code section 11628, subdivision (f)(1) nevertheless constitute an invalid legislative amendment under *Amwest Surety Insurance Co. v. Wilson* (1995) 11 Cal.4th 1243, or other California law? (2) Do Insurance Code sections 1860.1 and 1860.2 establish a filed-rate doctrine that impliedly limits the ability of plaintiffs to recover under the business laws identified by section 1861.03? If so, is the standard distinct from the one articulated for public utilities regulation in *Waters v. Pacific Telephone Co.* (1974) 12 Cal.3d 1, and does it preclude liability even where a challenge does not center on the appropriateness of the rates themselves?

#26-164 ***Amini v. Department of Motor Vehicles*****, S298588.** (D085964; nonpublished opinion; San Diego County Superior Court; 37-2024-00009445-CU-WM-CTL.) Petition for review after the Court of Appeal reversed the judgment in an action for writ of administrative mandate. The court ordered briefing deferred pending decision in *Romane v. Department of Motor Vehicles*, S291093 (#25-274), which presents the following issue: Under what circumstances does an administrative per se hearing officer's relationship with the Department of Motor Vehicles (DMV) violate a driver's due process right to an impartial adjudicator by creating an unacceptable risk of bias during a DMV driver's license suspension hearing?

#26-165 ***People v. Burgos*****, S298904.** (B344638; nonpublished opinion; Los Angeles County Superior Court; PA074799.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

#26-166 ***People v. Lucio*****, S298429.** (C102603; nonpublished opinion; Sacramento County Superior Court; 12F02446.) Petition for review after the Court of Appeal modified and affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

#26-167 ***People v. Mitchell*****, S298861.** (B344395; nonpublished opinion; Los Angeles County Superior Court; TA138142.) Petition for review after the Court of Appeal remanded with directions and otherwise affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

#26-168 ***People v. Ochoa*****, S298880.** (B345754; nonpublished opinion; Los Angeles County Superior Court; TA084621.) Petition for review after the Court of Appeal modified and affirmed an order granting in part and denying in part a post-judgment motion in a criminal matter.

#26-169 ***People v. Reck*****, S298770.** (F090009; nonpublished opinion; Tulare County Superior Court; VCF306715B, VCF285703.) Petition for review after the Court of Appeal modified and affirmed post-judgment orders in a criminal matter.

The court ordered briefing in *Burgos*, *Lucio*, *Mitchell*, *Ochoa*, and *Reck* 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))?

#26-170 ***People v. Lara*****, S298906.** (B345190; nonpublished opinion; Los Angeles County Superior Court; GA072069.) 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. 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?

#26-171 ***People v. Lossing*****, S298909.** (B347919; 122 Cal.App.5th 865; San Luis Obispo County Superior Court; 24F-07246.) 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. Meno*, S286092 (#24-164), which presents the following issues: (1) Does a trial court have discretion to dismiss either the greater or lesser included offense involving the same conduct of driving under the influence causing death in order to avoid the prohibition against multiple convictions based on necessarily included offenses? (2) Is Vehicle Code section 23153 a necessarily included offense of Penal Code section 191.5, subdivision (b) for purposes of the rule that multiple convictions may not be based on necessarily included offenses when the offenses arise from a single act?

#26-172 ***People v. Ramirez*****, S298587.** (B348258; nonpublished opinion; Los Angeles County Superior Court; GA075509.) 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. Luu*, S291235 (#25-243), which presents the following issue: Is a person convicted of attempted voluntary manslaughter eligible for resentencing relief under Penal Code section 1172.6?

#26-173 ***People v. Ramos*****, S298758.** (H052921; nonpublished opinion; Monterey County Superior Court; SS150594A.) 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. Mares*, S294132 (#26-26), which presents the following issue: Did substantial evidence support the trial court's finding in resentencing proceedings under Penal Code section 1172.6 that defendant, who led police on a high-speed chase with an armed passenger, intended to kill the pursuing police officers and was therefore liable for their attempted murders as an aider and abettor?

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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.