



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

November 18, 2022

Summary of Cases Accepted and Related Actions During Week of November 14, 2022

[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.]

#22-289 *Logan v. Country Oaks Partners, LLC*, S276545. (B312967; 82 Cal.App.5th 365; Los Angeles County Superior Court; 20STCV26536.) Petition for review after the Court of Appeal affirmed an order denying a petition to compel arbitration in a civil action. This case presents the following issue: Does an agent operating under an advance health care directive and power of attorney for health care decisions have the authority to enter into an arbitration agreement with a nursing facility on behalf of the principal?

#22-290 *People v. Campos-Cervantes*, S276842. (H049194; nonpublished opinion; Monterey County Superior Court; 20CR006576.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

#22-291 *People v. Jones*, S276655. (C095063; nonpublished opinion; Sacramento County Superior Court; 21FE009236.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#22-292 *People v. Robinson*, S276746. (F082378; nonpublished opinion; Tulare County Superior Court; PCF397760.) Petition for review after the Court of Appeal ordered abstract of judgment corrected and otherwise affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Campos-Cervantes*, *Jones*, and *Robinson* deferred pending decision in *People v. Lynch*, S274942 (#22-217), which presents the following issue: What prejudice standard applies on appeal when determining whether a case should be remanded for resentencing in light of newly-enacted Senate Bill No. 567 (Stats. 2021, ch. 731)?

#22-293 *People v. Hernandez*, S276725. (B310557; nonpublished opinion; Los Angeles County Superior Court; VA144413.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Faial*, S273840 (#22-133), which presents the following issue: Does Assembly Bill No. 1950 (Stats. 2020, ch. 328) apply retroactively to a defendant, serving a suspended-execution sentence, whose probation was revoked before the law went into effect?

#22-294 *Porras v. Chipotle Services, LLC*, S276866. (F081113, F081670; nonpublished opinion; Stanislaus County Superior Court; CV-19-000937.) Petition for review after the CA affirmed the judgment in a civil action. The court ordered briefing deferred pending decision in *Turrieta v. Lyft, Inc.*, S271721 (#22-03), which presents the following issue: Does a plaintiff in a representative action filed under the Private Attorneys General Act (Lab. Code, § 2698, et seq.) (PAGA) have the right to intervene, or object to, or move to vacate, a judgment in a related action that purports to settle the claims that plaintiff has brought on behalf of the state?

#22-295 *People v. Siackasorn*, S276818. (C094024; nonpublished opinion; Sacramento County Superior Court; 07F11789.) 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. Salazar*, S275788 (#22-264), which presents the following issue: Did the Court of Appeal err by finding the record clearly indicates the trial court would not have imposed a low term sentence if it had been fully aware of its discretion under newly-added subdivision (b)(6) of Penal Code section 1170? (See *People v. Gutierrez* (2014) 58 Cal.4th 1354, 1391.)

#22-296 *People v. Trevino*, S276499. (F080725; nonpublished opinion; Madera County Superior Court; MCR052302A.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses and remanded for further proceedings. The court ordered briefing deferred pending decision in *People v. Rojas*, S275835 (#22-276), which presents the following issue: Does Assembly Bill No. 333 (Stats. 2021, ch. 699) unconstitutionally amend Proposition 21, if applied to the gang-murder special circumstance (Pen. Code, § 190.2, subd. (a)(22))?

DISPOSITIONS

Review in the following cases, which were granted and held for *People v. Strong* (2022) 13 Cal.5th 698, was dismissed:

#21-563 <i>People v. Berry</i>, S271799	(B303420; nonpublished opinion; Los Angeles County Superior Court; BA057902)
#21-523 <i>People v. Blocker</i>, S271141	(B309642; nonpublished opinion; Los Angeles County Superior Court; YA018677)
#22-126 <i>People v. Orozco</i>, S273916	(B306916; nonpublished opinion; Los Angeles County Superior Court; NA090280)
#21-461 <i>People v. Robinson</i>, S270308	(A158229; nonpublished opinion; San Francisco County Superior Court; SCN197173)
#21-458 <i>People v. Fierro</i>, S270325	(E074545; nonpublished opinion; Riverside County Superior Court; CR23644)
#21-459 <i>People v. Gardner</i>, S270149	(E074545; nonpublished opinion; Riverside County Superior Court; CR23644)

Review in the following cases, which were granted and held for *People v. Strong* (2022) 13 Cal.5th 698 and *People v. Lewis* (2021) 11 Cal.5th 952, was dismissed:

#21-213 <i>People v. Davis</i>, S267788	(B302884; nonpublished opinion; Los Angeles Superior Court; BA072997)
#21-383 <i>People v. McKenzie</i>, S269217	(B305393; nonpublished opinion; Los Angeles County Superior Court; BA138096)
#21-254 <i>People v. Paulino</i>, S268364	(B298401; nonpublished opinion; Los Angeles County Superior Court; BA138096)

#21-173 <i>People v. Valdez</i> , S267101	(B298368; nonpublished opinion; Los Angeles County Superior Court; VA065899)
#20-390 <i>People v. Parker</i> , S265613	(A159440; nonpublished opinion; Sonoma County Superior Court; SCR654799)

The following cases were transferred for reconsideration in light of *People v. Strong* (2022) 13 Cal.5th 698 and *People v. Lewis* (2021) 11 Cal.5th 952:

#21-37 <i>People v. Culpepper</i> , S266036	(E072675; nonpublished opinion; Riverside County Superior Court; RIF084270)
#21-07 <i>People v. Galloway</i> , S265969	(B303405, B303636; nonpublished opinion; Los Angeles County Superior Court; YA071844)
#21-172 <i>People v. Garcia</i> , S267234	(B299615; nonpublished opinion; Los Angeles County Superior Court; BA283054)
#21-143 <i>People v. Jones</i> , S266650	(C090630; nonpublished opinion; Sacramento County Superior Court; 01F07610)
#21-367 <i>People v. Lampkin</i> , S269040	(C089258; nonpublished opinion; Yuba County Superior Court; CRF990000320)
#21-132 <i>People v. Lewis</i> , S266882	(C091066; nonpublished opinion; Sacramento County Superior Court; 98F07013)
#20-134 <i>People v. Morales</i> , S261489	(B297638; nonpublished opinion; Los Angeles County Superior Court; BA204828)

#20-401 <i>People v. Nowden</i>, S265614	(D075767; nonpublished opinion; San Diego County Superior Court; SCD143117)
#20-135 <i>People v. Simpson</i>, S261421	(B296083; nonpublished opinion; Los Angeles County Superior Court; TA127755)
#20-151 <i>People v. Washington</i>, S261782	(A158017; nonpublished opinion; Alameda County Superior Court; H53084A)
#20-105 <i>People v. West</i>, S261178	(A157163; nonpublished opinion; Alameda County Superior Court; 152985C)

The following cases were transferred for reconsideration in light of *People v. Strong* (2022) 13 Cal.5th 698:

#21-382 <i>People v. Durbin</i>, S269488	(B305999; nonpublished opinion; Los Angeles County Superior Court; KA064692)
#21-275 <i>People v. Jenkins</i>, S268195	(E075787; nonpublished order; Riverside County Superior Court; INF064867)
#22-45 <i>People v. Leggett</i>, S272692	(D079060; nonpublished opinion; Santa Clara County Superior Court; CC079620)
#21-119 <i>People v. Miller</i>, S266447	(B297558; nonpublished opinion; Los Angeles County Superior Court; BA226937)
#21-481 <i>People v. Zuniga</i>, S270348	(B306037; nonpublished opinion; Los Angeles County Superior Court; VA114995)

#21-567 <i>People v. Perucci</i>, S271612	(B309174; nonpublished opinion; Los Angeles County Superior Court; BA109422)
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The following case was transferred for reconsideration in light of *People v. Strong* (2022) 13 Cal.5th 698 and *People v. Rogers* (2006) 39 Cal.4th 826:

#21-574 <i>People v. Jackson</i>, S271432	(F081570; nonpublished opinion; Fresno County Superior Court; CF92472108)
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The following case was transferred for reconsideration in light of *People v. Lewis* (2021) 11 Cal.5th 952:

#21-09 <i>People v. Lawson</i>, S265885	(B296634; nonpublished opinion; Los Angeles County Superior Court; BA281894)
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The following cases were transferred for reconsideration in light of *People v. Renteria* (2022) 13 Cal.5th 951 and Assembly Bill No. 333 (Stats. 2021, ch. 699):

#21-400 <i>People v. Braggs</i>, S269678	(B301727; nonpublished opinion; Los Angeles County Superior Court; BA470870)
#21-271 <i>People v. Castillo</i>, S268385	(B301982; nonpublished opinion; Los Angeles County Superior Court; BA438393)
#21-401 <i>People v. Mays</i>, S269376	(B302559; nonpublished opinion; Los Angeles County Superior Court; BA463973)
#21-318 <i>People v. Mendez</i>, S268538	(B305404; nonpublished opinion; Los Angeles County Superior Court; TA146527)

#21-477 <i>People v. Prescott</i>, S270470	(D076420; nonpublished opinion; San Diego County Superior Court; SCD268531)
#21-506 <i>People v. Quevedo</i>, S270879	(B300862; nonpublished opinion; Los Angeles County Superior Court; BA456662)
#21-249 <i>People v. Vidales</i>, S267864	(C088685; nonpublished opinion; Yolo County Superior Court; CRF153593)
#21-366 <i>People v. Cyrus</i>, S269251	(E075271; nonpublished opinion; San Bernardino County Superior Court; FWV18004411)
#21-216 <i>People v. Williams</i>, S267503	(B301325; nonpublished opinion; Los Angeles Superior Court; TA144839)

The following case was transferred for reconsideration in light of *People v. Renteria* (2022) 13 Cal.5th 951, Assembly Bill No. 333 (Stats. 2021, ch. 699), and Assembly Bill No. 518 (Stats. 2021, ch. 441):

#21-272 <i>People v. Ponce</i>, S267898	(A155368; nonpublished opinion; Contra Costa County Superior Court; 51702232)
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Review in the following cases, which were granted and held for *People v. Aguayo* (2022) 13 Cal.5th 974, was dismissed:

#21-298 <i>People v. Aguirre</i>, S268799	(B296222; nonpublished opinion; Los Angeles County Superior Court; KA118509)
#20-111 <i>People v. Cota</i>, S261120	(G056850; 44 Cal.App.5th 720; Orange County Superior Court; 15CF0401)

#20-25 <i>People v. Laun</i>, S259197	(G055893; nonpublished opinion; Orange County Superior Court; 16HF0902)
#22-55 <i>People v. Waxlax</i>, S272695	(E074347; 72 Cal.App.5th 579; Riverside County Superior Court; INF1600362)

The following case was transferred for reconsideration in light of *People v. Aguayo* (2022) 13 Cal.5th 974:

#21-450 <i>People v. Lavi</i>, S270089	(B306345; nonpublished opinion; Ventura County Superior Court; 2019031654)
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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.