



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

November 20, 2020

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## Summary of Cases Accepted and Related Actions During Week of November 16, 2020

*[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.]*

**#20-346 *People v. Holmes, S264987*.** (D077120; nonpublished opinion; Imperial County Superior Court; JCF001041.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Raybon, S256798* (#19-121), which presents the following issue: Did Proposition 64 [the “Adult Use of Marijuana Act”] decriminalize the possession of up to 28.5 grams of marijuana by adults 21 years of age or older who are in state prison [as well as those not in prison]?

**#20-347 *People v. Martinez, S265020*.** (B299702; nonpublished opinion; Los Angeles County Superior Court; TA070425.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#20-348 *People v. Murillo, S264978*.** (B297546; 54 Cal.App.5th 160; Los Angeles County Superior Court; LA010613.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#20-349 *People v. Thomas, S264808*.** (E073036; nonpublished opinion; Riverside County Superior Court; RIF080665.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#20-350 *People v. Wright, S264992.*** (B300278; nonpublished opinion; Los Angeles County Superior Court; BA154420.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

**#20-351 *People v. York, S264954.*** (B298635; 54 Cal.App.5th 250; Los Angeles County Superior Court; BA042241.) 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 *Martinez, Murillo, Thomas, Wright, and York* deferred pending decision in *People v. Lewis, S260598* (#20-78), which presents the following issues: (1) May superior courts consider the record of conviction in determining whether a defendant has made a prima facie showing of eligibility for relief under Penal Code section 1170.95? (2) When does the right to appointed counsel arise under Penal Code section 1170.95, subdivision (c)?

**#20-352 *In re Watson, S264984.*** (B303328; nonpublished opinion; Los Angeles County Superior Court; MA068412.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. The court ordered briefing deferred pending decision in *In re Mohammad, S259999* (#20-52), which presents the following issue: Is a prisoner serving a sentence for a combination of violent and nonviolent felonies eligible for early parole consideration under the provisions of Proposition 57 following completion of the term for his or her primary offense?

## STATUS

**#20-334 *People v. Beaudreaux, S264885.*** (A159751; nonpublished opinion; Alameda County Superior Court; 160022B.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter. The court vacated the order of November 10, 2020, in this case, granted the petition for review, and ordered briefing deferred pending decision in *People v. Lewis, S260598* (#20-78), which presents the following issues: (1) May superior courts consider the record of conviction in determining whether a defendant has made a prima facie showing of eligibility for relief under Penal Code section 1170.95? (2) When does the right to appointed counsel arise under Penal Code section 1170.95, subdivision (c)?

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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.*