



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

November 21, 2025

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## Summary of Cases Accepted and Related Actions During Week of November 17, 2025

*[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.]*

**#25-329 *Gogal v. Deng*, S292779.** (D084158; 112 Cal.App.5th 1193; San Diego County Superior Court; 37-2022-00017670-CU-NP-NC.) Petition for review after the Court of Appeal reversed a post-judgment order in a civil action and remanded with directions. The court directed the parties to brief the following issues: (1) Are parties to a pre-litigation contract prohibited from waiving their rights to recover costs as prevailing parties in litigation? (See Code Civ. Proc., § 1032; Civ. Code, § 3513.) (2) Does Civil Code section 1953 void an agreement by a lessee to waive or modify the right to recover such costs?

**#25-330 *City of Salinas v. Workers' Comp. Appeals Bd.*, S293212.** (H052062; 113 Cal.App.5th 801; Workers' Compensation Appeals Board; ADJ14038029.) Petition for review after the Court of Appeal affirmed the decision in a Workers' Compensation Appeals Board proceeding. The court ordered briefing deferred pending decision in *Mayor v. Workers' Comp. Appeals Bd.*, S287261 (#24-234), which presents the following issues: (1) May the Workers' Compensation Appeals Board apply equitable tolling to act upon a petition for reconsideration beyond the 60-day period provided in Labor Code section 5909, when the Appeals Board did not receive the petition for reconsideration until after the 60-day period has elapsed? (2) Did the Court of Appeal act in excess of its jurisdiction in granting relief under traditional mandate (Code Civ. Proc., § 1085), where petitioner did not file a timely petition for writ of review pursuant to Labor Code section 5909?

**#25-331 *People v. Lopez*, S293537.** (B336877; nonpublished opinion; Los Angeles County Superior Court; LA088554.) 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.

**#25-332 *People v. McGraw*, S293426.** (B341305; nonpublished opinion; Los Angeles County Superior Court; MA049580.) 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 *Lopez* and *McGraw* 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))?

**#25-333 *People v. Reyna*, S292528.** (B340017; nonpublished opinion; Los Angeles County Superior Court; BA289095.) Review ordered on the court's own motion 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. 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?

**#25-334 *People v. Smith*, S293519.** (E083089; nonpublished opinion; Riverside County Superior Court; RIF1302006.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing. The court ordered briefing deferred pending decision in *People v. Espino*, S286987 (#24-209), which presents the following issue: Is a defendant entitled to resentencing under Penal Code section 1172.75 when the judgment in the defendant's criminal case includes a prior-prison-term enhancement that was imposed but for which punishment was stricken?

#### SEPARATE STATEMENT ON DENIAL OF REVIEW

***In re Mercy*, S292693.** (B347857; Los Angeles County Superior Court; GA032946.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus.

**DISPOSITIONS**

The following cases were transferred for reconsideration in light of *Hohenshelt v. Superior Court* (2025) 18 Cal.5th 310:

<b>#25-106 <i>Colon-Perez v. Security Industry Specialists, Inc.</i>, S289702</b>	(A168297; 108 Cal.App.5th 403 [non-citable]; Alameda County Superior Court; 21CV004546)
<b>#24-208 <i>Costa-Fleeson v. Americor Funding</i>, S286683</b>	(G062962; nonpublished opinion; Orange County Superior Court; 30-2023-01305561)
<b>#24-154 <i>Hernandez v. Sohnen Enterprises</i>, S285696</b>	(B323303; 102 Cal.App.5th 222 [non-citable]; Los Angeles County Superior Court; 21STCV26283)
<b>#24-128 <i>Doe v. Lawyers for Employee and Consumer Rights, APC</i>, S284810</b>	(B330052; nonpublished opinion; Ventura County Superior Court; 56-2022-00573119-CU-WT-VTA)
<b>#24-168 <i>Keeton v. Tesla, Inc.</i>, S286260</b>	(A166690; 103 Cal.App.5th 26 [non-citable]; Alameda County Superior Court; RG21109088)
<b>#25-254 <i>Sanders v. Superior Court</i>, S291437</b>	(B340707; 110 Cal.App.5th 1304 [non-citable]; Los Angeles County Superior Court; 21STCV31165)
<b>#24-155 <i>Solis v. Sohnen Enterprises</i>, S285733</b>	(B323296; nonpublished opinion; Los Angeles County Superior Court; 21STCV26265)

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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.*