



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

December 12, 2025

Summary of Cases Accepted and Related Actions During Week of December 8, 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.]

#25-340 *People v. Ball*, S292969. (G064274; 114 Cal.App.5th 181; Orange County Superior Court; 20HF0795.) Petition for review after the Court of Appeal reversed an order in a criminal matter and remanded for further proceedings. This case presents the following issue: Does drawing or exhibiting a firearm in a threatening manner in the presence of a motor vehicle occupant (Pen. Code, § 417.3) require proof of both objective and subjective fear, or is proof of objective fear alone sufficient?

#25-341 *Domingo v. Prime Healthcare Paradise Valley, LLC*, S293682. (D085075; nonpublished opinion; San Diego County Superior Court; 37-2019-00023576-CU-OE-CTL.) Petition for review after the Court of Appeal affirmed an order denying a motion to compel arbitration in a civil action. The court ordered briefing deferred pending decision in *Leeper v. Shipt, Inc.*, S289305 (#25-91), which presents the following issues: (1) Does every Private Attorneys General Act (Lab. Code, § 2698 et seq.) (PAGA) action necessarily include both individual and non-individual PAGA claims, regardless of whether the complaint specifically alleges individual claims? (2) Can a plaintiff choose to bring only a non-individual PAGA action?

#25-342 *People v. Dowell*, S293647. (B338130; nonpublished opinion; Los Angeles County Superior Court; PA049692.) 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.

#25-343 *People v. Mitchell*, S293702. (C101253; nonpublished opinion; Sacramento County Superior Court; 16FE001403.) 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 *Dowell* and *Mitchell* 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))?

#25-344 *People v. Marende*, S293705. (B332859; nonpublished opinion; Los Angeles County Superior Court; KA124385.) 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. Allen*, S286520 (#24-224), which presents the following issues: (1) If a defendant has invoked his right to remain silent while being interrogated by a law enforcement officer, are incriminating statements obtained through a subsequent *Perkins* operation (i.e., the use of an undercover agent to question a jailed defendant) admissible as substantive proof of the defendant's guilt at trial? (See *Illinois v. Perkins* (1990) 496 U.S. 292; *Miranda v. Arizona* (1966) 384 U.S. 436.) (2) What effect, if any, does the fact that the interrogating officer continued questioning after petitioner invoked his Fifth Amendment right to silence have upon the admissibility of the statements subsequently obtained during the *Perkins* operation?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Fletcher* (2025) 18 Cal.5th 576:

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| #24-1 <i>People v. Aguirre</i>, S282840 | (B323282; 96 Cal.App.5th 488 [non-citable]; Ventura County Superior Court; 2022007238) |
| #25-198 <i>People v. Aguirre</i>, S290865 | (B334685; nonpublished opinion; Ventura County Superior Court; 2023017104) |
| #24-205 <i>People v. Alvarez</i>, S286909 | (F087027; nonpublished opinion; Merced County Superior Court; 20CR-02663) |

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| #23-263 <i>People v. Atwell</i>, S282733 | (F083580; nonpublished opinion; Fresno County Superior Court; F21904262) |
| #24-68 <i>People v. Gonzalez</i>, S284060 | (F084952; 98 Cal.App.5th 1300 [non-citable]; Kern County Superior Court; BF185179A) |
| #25-267 <i>People v. Medina</i>, S291301 | (H051661; nonpublished opinion; Monterey County Superior Court; 23CR004036) |
| #23-244 <i>People v. Mercado</i>, S282366 | (H046930; nonpublished opinion; Santa Clara County Superior Court; C1776749) |
| #25-20 <i>People v. Mercado</i>, S288449 | (D084260; nonpublished opinion; San Bernardino County Superior Court; FVI21001892) |
| #25-273 <i>People v. Quevedo</i>, S291649 | (B335436; nonpublished opinion; Los Angeles County Superior Court; BA456662) |
| #23-191 <i>People v. Scott</i>, S280776 | (E078721; 91 Cal.App.5th 1176 [non-citable]; Riverside County Superior Court; RIF1604645) |

Review in the following cases, which were granted and held for *People v. Fletcher* (2025) 18 Cal.5th 576, was dismissed:

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| #23-190 <i>People v. Farias</i>, S281027 | (C094195; 92 Cal.App.5th 619; Sacramento County Superior Court; 18FE021180) |
| #23-264 <i>People v. Tholmer</i>, S282474 | (C095767; nonpublished opinion; Sacramento County Superior Court; 12F07076) |

Review in the following cases, which were granted and held for *People v. Emanuel* (2025) 17 Cal.5th 867, was dismissed:

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| #24-159 <i>People v. Jackson</i> , S286085 | (F084170; nonpublished opinion; Fresno County Superior Court; CF91451754) |
| #24-116 <i>People v. Quijada</i> , S284780 | (B318184; nonpublished opinion; Los Angeles County Superior Court; KA013919) |

STATUS

#23-175 *Raju v. Superior Court*, S281001. The court directed the parties to file supplemental briefs addressing the following question: What impact, if any, does this court's decision in *Taking Offense v. State of California* (Nov. 6, 2025, S270535) __ Cal.5th __ [2025 Cal. LEXIS 7260], have on the issues presented in this case?

#24-99 *Shear Development Co., LLC v. California Coastal Commission*, S284378. The court vacated submission in this matter and directed the parties to file supplemental briefs addressing the following issues: (1) Under the local coastal program in effect at the time that the Commission exercised appellate jurisdiction, did the Commission properly exercise appellate jurisdiction over Shear Development Co.'s coastal development permit on the ground that the development was not designated as the principal permitted use (Pub. Resources Code, § 30603, subd. (a)(4))? (2) Under the local coastal program currently in effect, did the Commission properly exercise appellate jurisdiction over Shear Development Co.'s coastal development permit on the ground that the development was not designated as the principal permitted use (Pub. Resources Code, § 30603, subd. (a)(4))?

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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.