



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
www.courts.ca.gov/supremecourt

NEWS RELEASE

Contact: [Merrill Balassone](mailto:Merrill.Balassone@courts.ca.gov), 415-865-7740

FOR IMMEDIATE RELEASE

January 3, 2025

Summary of Cases Accepted and Related Actions During Week of December 30, 2024

[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.]

#24-265 *People v. Alazar*, S287917. (B331710; 105 Cal.App.5th 1100; Los Angeles County Superior Court; PA062836.) 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.

#24-266 *People v. Luke*, S287999. (B330578; nonpublished opinion; Los Angeles County Superior Court; BA474197.) 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 in *Alazar* and *Luke* deferred pending decision in *People v. Patton*, S279670 (#23-129), which presents the following issue: Did the trial court engage in impermissible judicial factfinding by relying on the preliminary hearing transcript to deny defendant's Penal Code section 1172.6 petition at the prima facie stage? (See *People v. Lewis* (2021) 11 Cal.5th 952.)

#24-267 *People v. Fitzhugh*, S288021. (C099624; nonpublished opinion; San Joaquin County Superior Court; SF117037A.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#24-268 *People v. Garcia*, S287993. (C098282; nonpublished opinion; Yolo County Superior Court; CR20157320.) 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 *Fitzhugh* and *Garcia* deferred pending decision in *People v. Emanuel*, S280551 (#23-174), which presents the following issue: Does sufficient evidence support the trial court's finding that defendant acted with reckless indifference to human life and therefore was ineligible for resentencing pursuant to Penal Code section 1172.6?

#24-269 *People v. Parkinson*, S288104. (C098506; nonpublished opinion; Shasta County Superior Court; CRF15F0007437.) Petition for review after the Court of Appeal affirmed an order revoking probation in a criminal matter. The court ordered briefing deferred pending decision in *People v. Mitchell*, S277314 (#22-305), which presents the following issue: Does Senate Bill No. 567 (Stats. 2021, ch. 731), which limits a trial court's discretion to impose upper term sentences, apply retroactively to defendants sentenced pursuant to stipulated plea agreements?

#24-270 *People v. Rivas*, S287661. (D083391; nonpublished opinion; San Diego County Superior Court; SCD185253.) Petition for review after the Court of Appeal reversed an order denying a post-judgment motion in a criminal matter and remanded for resentencing.

#24-271 *People v. Wilford*, S287846. (D083443, D083442; nonpublished opinion; San Diego County Superior Court; SCD261253, SCS256542.) 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 in *Rivas* and *Wilford* deferred pending decision in *People v. Rhodius*, S283169 (#24-34), which presents the following issue: Does Senate Bill No. 483 (Stats. 2021, ch. 728) entitle a defendant to a full resentencing hearing under Penal Code section 1172.75 if the defendant's prior prison term enhancements (Pen. Code, § 667.5, subd. (b)) were imposed and stayed, rather than imposed and executed?

#24-272 *People v. Taylor*, S288089. (A168306; nonpublished opinion; Del Norte County Superior Court; CRF239077.) 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. Wiley*, S283326 (#24-51), which presents the following issue: Did the sentencing court's consideration of circumstances in aggravation based on certified records of prior convictions, beyond the bare fact of the convictions, violate Penal Code section 1170, subdivision (b)(3) or defendant's Sixth Amendment right to a jury trial?

###

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.