



NEWS RELEASE

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Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

Summary of Cases Accepted During the Week of January 11, 2010

[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.]

#10-01 *People v. Bye, S178333.* (E046652; nonpublished opinion; Riverside County Superior Court; INF053018.) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding.

#10-02 *People v. Gonzalez, S178334.* (E048022; nonpublished opinion; Riverside County Superior Court; INF063176.) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding.

#10-03 *People v. Stoltie, S178336.* (E048009; nonpublished opinion; Riverside County Superior Court; RIF113348) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding.

The court ordered briefing in *Bye, Gonzalez, and Stoltie* deferred pending decision in *People v. Engram, S176983* (#09-81), *People v. Hajjaj, S175307* (#09-61), and *People v. Wagner, S175794* (#09-62), which include the following issues: (1) Did the trial court err in dismissing this case for violation of defendant's statutory right to a speedy trial on the ground no criminal courtroom was available? (2) Should criminal cases facing dismissal on speedy trial grounds be given precedence over civil cases pursuant to Penal Code section 1050, subdivision (a), either as a matter of law or under the circumstances of this case?

#10-04 *People v. Rotroff*, S178455. (H033527; 178 Cal.App.4th 619; Santa Clara County Superior Court; 210929.) Petition for review after the Court of Appeal affirmed an order of commitment as a sexually violent predator. The court ordered briefing deferred pending decision in *People v. McKee*, S162823 (#08-107), which presents the following issues: Does the amended Sexually Violent Predator Act violate appellant's constitutional rights to due process of law, is it an illegal ex post facto law, and does it violate equal protection?

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