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NEWS RELEASE

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Summary of Cases Accepted During the Week of February 14, 2011

[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.]

#11-13 *People v. Johnson*, S188619. (A124643; nonpublished opinion; Solano County Superior Court; VCR191129.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court limited review to the following issue: Should trial courts apply a higher standard of mental competence for self-representation than for competency to stand trial? (See *Indiana v. Edwards* (2008) 554 U.S. 164.)

#11-14 *Perry v. Schwarzenegger*, S189476. (Ninth Cir. No. 10-16751; ___ F.3d ___, 2011 WL 9576; Northern District of California; No. 3:09-cv-02292-VRW.) Request under California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. As stated by the Ninth Circuit, the question presented is: “Whether under Article II, Section 8 of the California Constitution, or otherwise under California law, the official proponents of an initiative measure possess either a particularized interest in the initiative’s validity or the authority to assert the State’s interest in the initiative’s validity, which would enable them to defend the constitutionality of the initiative upon its adoption or appeal a judgment invalidating the initiative, when the public officials charged with that duty refuse to do so.”

#11-15 *In re Shaputis*, S188655. (D056825; nonpublished opinion; San Diego County Superior Court; HC18007.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus.

This case presents the following issue: Did the Court of Appeal err in setting aside the denial of parole by the Board of Parole Hearings?

#11-16 *People v. Thompson*, S188661. (C061568; nonpublished opinion; San Joaquin County Superior Court; SF108385A.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Dungo*, S176886 (#09-77), *People v. Gutierrez*, S176620 (#09-78), *People v. Lopez*, S177046 (#09-79), and *People v. Rutterschmidt*, S176213 (#09-80), which present issues concerning the right of confrontation under the Sixth Amendment when the results of forensic tests performed by a criminalist who does not testify at trial are admitted into evidence and how the decision of the United States Supreme Court in *Melendez-Diaz v. Massachusetts* (2009) 557 U.S. ___, 129 S.Ct. 2527, 174 L.Ed.2d 314, affects this court's decision in *People v. Geier* (2007) 41 Cal.4th 555.

DISPOSITION

Review in the following case was dismissed:

#10-130 *Clarendon America Ins. Co. v. Starnet Ins. Co.*, S186079.

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