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# NEWS RELEASE

Release Number: **S.C. 13/07**

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## Summary of Cases Accepted During the Week of March 26, 2007

*[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.]*

**#07-122 *In re James F.*, S150316.** (B188863; 146 Cal.App.4th 599; Los Angeles County Superior Court; CK37046.) Petition for review after the Court of Appeal reversed an order terminating parental rights. This case presents the following issue: Is any error in appointing a guardian ad litem in a juvenile dependency proceeding structural error — and thus automatically reversible — or may the error be found harmless?

**#07-123 *People v. Adams*, S150444.** (C050911; nonpublished opinion; San Joaquin County Superior Court; MF028072A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

**#07-124 *People v. Rubalcaba*, S150408.** (H030220; nonpublished opinion; Santa Clara County Superior Court; CC505741.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Adams* and *Rubalcaba* deferred pending decision in *People v. Crandell*, S134883 (#05-186), which presents the following issue: Does the imposition of a restitution fine under Penal Code section 1202.4, subdivision (b), violate a defendant's plea agreement if the fine was not an express term of the agreement?

**#07-125 *People v. Salinas*, S150293.** (F049017; 146 Cal.App.4th 958; Kern County Superior Court; DF007337A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court

(over)

ordered briefing deferred pending decision in *People v. Geier*, S050082, an automatic appeal, which includes an issue as to the admissibility of laboratory reports in light of the high court's decision in *Crawford v. Washington* (2004) 541 U.S. 36.

In the following cases, which present issues relating to the effect of *Cunningham v. California* (2007) 549 U.S. \_\_\_, 127 S.Ct. 856, on California sentencing law, the court ordered briefing deferred pending further order of the court:

**#07-126 *People v. Brandon*, S149371.** (B186361; 145 Cal.App.4th 1002; Los Angeles County Superior Court; BA245281.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses.

**#07-127 *People v. Isom*, S149304.** (C048429; 145 Cal.App.4th 1371; Butte County Superior Court; CM019387.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

**#07-128 *People v. Ray*, S150333.** (F050229; nonpublished opinion; Kern County Superior Court; BF104552-A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

**#07-129 *People v. Roberts*, S149528.** (B188942; nonpublished opinion; Los Angeles County Superior Court; BA268489.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses.

**#07-130 *People v. Salazar*, S149468.** (C050817; nonpublished opinion; Sacramento County Superior Court; 03F06229.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

**#07-131 *People v. Speakes*, S150418.** (A113668; nonpublished opinion; San Francisco County Superior Court; 195127.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

## **DISPOSITION**

The court dismissed review in the following case in light of *Hudson v. Michigan* (2006) 547 U.S. \_\_\_, 126 S.Ct. 2159, 165 L.Ed.2d 56:

**#04-09 *People v. Rabaduex*, S121159.**