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# NEWS RELEASE

Release Number: **S.C. 25/10**

Release Date: **June 25, 2010**

## Summary of Cases Accepted During the Week of June 21, 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.]*

**#10-77 *Emery v. Clark*, S182670.** (9th Cir. No. 08-55249; 604 F.3d 1102; Central District of California, CV-07-02237-SJO.) Request under California Rules of Court, rule 8.548, that this court decide questions of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The court ordered briefing deferred pending decision in *People v. Albillar*, S163905 (#08-128), which presents the following issues: (1) Did substantial evidence support defendants' convictions under Penal Code, section 186.22, subdivision (a), and the true findings with respect to the enhancements under Penal Code, section 186.22, subdivision (b)? (2) Should the phrase "felonious criminal conduct," appearing in Penal Code section 186.22, subdivision (a) be interpreted to mean felonious criminal *gang-related* conduct?

**#10-78 *People v. House*, S182813.** (B212057; 183 Cal.App.4th 1049; Los Angeles County Superior Court; NA076708.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses.

**#10-79 *People v. Landon*, S182808.** (A123779; 183 Cal.App.4th 1096; Mendocino County Superior Court; SCU KCRCR0781676.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *House* and *Landon* deferred pending decision in *People v. Brown*, S181963 (#10-64), which presents the

following issue: Does Penal Code section 4019, as amended to increase presentence custody credits for certain offenders, apply retroactively?

## **DISPOSITIONS**

Review in the following case was dismissed in light of *Runyon v. Board of Trustees of California State University* (2010) 48 Cal.4th 760:

***#10-39 Ohton v. Board of Trustees of California State University, S180389.***

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