



NEWS RELEASE

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Summary of Cases Accepted During the Week of October 9, 2006

[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.]

#06-113 *People v. Akao, S146211.* (H029821; unpublished opinion; Santa Clara County Superior Court; CC457539.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing 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?

DISPOSITION

Review in the following case was dismissed in light of *Dore v. Arnold Worldwide, Inc.* (2006) 39 Cal.4th 384:

#05-73 *State Farm Mut. Auto Ins. Co. v. Wier, S131445.*

STATUS

#06-104 *Stark v. Superior Court, S145337.* The court instructed the parties to brief the following question in addition to the questions set forth in the petition for review: Does violation of Penal Code section 424 (falsification of accounts or misappropriation of public funds by a public officer or employee) require intentional violation of a known legal duty, or is it a general intent crime?

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