



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 4 and 5, 2017**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California on April 4 and 5, 2017.

TUESDAY, APRIL 4, 2017—1:30 P.M.

- (1) People v. Superior Court of Riverside County (Hossain Sahlolbei, Real Party in Interest), S232639
- (2) Jacks (Rolland) et al. v. City of Santa Barbara, S225589
- (3) People v. Chaney (Clifford Paul) S223676, and People v. Valencia (David John) S223825 (Consolidated Cases)

WEDNESDAY, APRIL 5, 2017—9:00 A.M.

- (4) Ryan (Steve) v. Rosenfeld (Mitchell), S232582
- (5) Parrish (William) et al. v. Latham & Watkins, et al., S228277
(*To be called and continued to the June 2017 calendar.*)
- (6) 926 North Ardmore Avenue v. County of Los Angeles, S222329
- (7) Scher (Jaime A.) et al. v. Burke (John) et al., S230104

1:30 P.M.

- (8) In re Bell (Steven M.) on Habeas Corpus [Automatic Appeal], S151362
- (9) K.R. v. Superior Court of Sacramento County (People, Real Party in Interest), S231709
- (10) People v. Hopson (Ruthetta Lois), S228193

CANTIL-SAKAUYE
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

**SUPREME COURT OF CALIFORNIA
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The following case summaries are issued to inform the public about cases that the California Supreme Court has scheduled for oral argument and of their general subject matter. In most instances, the descriptions set out below are reproduced from the original news release issued when review in each of these matters was granted and are provided for the convenience of the public. The descriptions do not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.

TUESDAY, APRIL 4, 2017—1:30 P.M.

(1) *People v. Superior Court of Riverside County (Hossain Sahlolbei, Real Party in Interest)*, S232639

#16-107 People v. Superior Court of Riverside County (Hossain Sahlolbei, Real Party in Interest), S232639. (E062380; nonpublished opinion; Superior Court of Riverside County; INF1302523.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: If an individual performing work for and on behalf of a public entity would qualify as an independent contractor for purposes of tort liability at common law, can that individual be subject to the criminal conflict-of-interest provisions of Government Code section 1090?

(2) *Jacks (Rolland) et al. v. City of Santa Barbara*, S225589

#15-69 Jacks (Rolland) et al. v. City of Santa Barbara, S225589. (B253474; 234 Cal.App.4th 925; Superior Court of Santa Barbara County; 1383959.) Petition for review after the Court of Appeal reversed the judgment in a civil action. The court limited review to the following issue: Is the City of Santa Barbara's 1 percent increase on its electricity bills (i.e., the 1 percent surcharge) a tax subject to Proposition 218's voter approval requirement or a franchise fee that may be imposed by the City without voter consent?

(3) *People v. Chaney (Clifford Paul) S223676, and People v. Valencia (David John) S223825 (Consolidated Cases)*

#15-13 *People v. Chaney (Clifford Paul)*, S223676. (C073949; 231 Cal.App.4th 1391; Superior Court of Amador County; 05CR08104.) and *People v. Valencia (David John)*, S223825. (F067946; 232 Cal.App.4th 514; Superior Court of Tuolumne County; CRF30714.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. Both cases present the following issue: Does the definition of “unreasonable risk of danger to public safety” (Pen. Code, § 1170.18, subd. (c)) under Proposition 47 (“The Safe Neighborhoods and Schools Act”) apply to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

WEDNESDAY, APRIL 5, 2017—9:00 A.M.

(4) *Ryan (Steve) v. Rosenfeld (Mitchell), S232582*

#16-129 *Ryan (Steve) v. Rosenfeld (Mitchell)*, S232582. (A145465; nonpublished order; Superior Court of San Francisco County; CGC10504983.) Petition for review after the Court of Appeal dismissed an appeal in a civil action. The court limited review to the following issue: Is the denial of a motion to vacate the judgment under Code of Civil Procedure section 663 separately appealable?

(5) *Parrish (William) et al. v. Latham & Watkins, et al., S228277 (To be called and continued to the June 2017 calendar.)*

#15-177 *Parrish (William) et al. v. Latham & Watkins, et al.*, S228277. (B244841; 238 Cal.App.4th 81; Superior Court of Los Angeles County; BC482394.) Petition for review after the Court of Appeal affirmed an order granting a special motion to strike in a civil action. This case presents the following issues: (1) Does the denial of former employees’ motion for summary judgment in an action for misappropriation of trade secrets conclusively establish that their former employer had probable cause to bring the action and thus preclude the employees’ subsequent action for malicious prosecution, even if the trial court in the prior action later found that it had been brought in bad faith?

(2) Is the former employees' malicious prosecution action against the employer's former attorneys barred by the one-year statute of limitations in Code of Civil Procedure section 304.6?

(6) *926 North Ardmore Avenue v. County of Los Angeles*, S222329

#15-01 926 North Ardmore Avenue v. County of Los Angeles, S222329. (B248536; 229 Cal.App.4th 1335; Superior Court of Los Angeles County; BC476670.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Does Revenue and Taxation Code section 11911 authorize a county to impose a documentary transfer tax based on a change in ownership or control of a legal entity that directly or indirectly holds title to real property?

(7) *Scher (Jaime A.) et al. v. Burke (John) et al.*, S230104

#15-219 Scher v. Burke, S230104. (B235892; 240 Cal.App.4th 381; Los Angeles County Superior Court; BC415646.) Petition for review after the Court of Appeal affirmed in part and reversed in part the judgment in a civil action. This case presents the following issue: Does Civil Code section 1009 preclude non-recreational use of non-coastal private property from ripening into an implied dedication of a public road?

1:30 P.M.

(8) *In re Bell (Steven M.) on Habeas Corpus*, S151362 [Automatic Appeal]

This matter is an automatic appeal from a judgment of death.

(9) *K.R. v. Superior Court of Sacramento County (People, Real Party in Interest)*, S231709

#16-64 K.R. v. Superior Court of Sacramento County (People, Real Party in Interest), S231709. (C079548; 243 Cal.App.4th 495; Superior Court of Sacramento County; JV134953.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Was the juvenile

entitled to a disposition hearing before the same judge who accepted his admissions to a criminal offense and probation violations even though he did not make an affirmative showing of individualized facts in the record establishing that this was an implied term of the plea agreement? (See *People v. Arbuckle* (1978) 22 Cal.3d 749.)

(10) ***People v. Hopson (Ruthetta Lois), S228193***

#15-176 *People v. Hopson (Ruthetta Lois), S228193*. (D066684; nonpublished opinion; Superior Court of Riverside County; RIF1105594.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court limited review to the following issue: Was defendant's right of confrontation under the Sixth Amendment violated when the trial court permitted the prosecution to introduce out-of-court statements made by her deceased codefendant?