



**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
MAY 30, 2017**

**FIRST AMENDED**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 30, 2017.

**TUESDAY, MAY 30, 2017—9:00 A.M.**

- (1) California Cannabis Coalition et al. v. City of Upland et al., S234148
- (2) Rubenstein (Latrice) v. Doe No. 1 et al., S234269
- (3) F. P. v. Monier (Joseph), S216566  
*(To be called and continued to the September 2017 calendar.)*
- (4) People v. Pennington (Bryan M.), S222227

**1:30 P.M.**

- (5) People v. Jones (Kiongozi), [Automatic Appeal], S075725

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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).)

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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, MAY 30, 2017—9:00 A.M.**

**(1) *California Cannabis Coalition et al. v. City of Upland et al., S234148***

#16-229 California Cannabis Coalition et al. v. City of Upland et al., S234148.

(E063664; 245 Cal.App.4th 970; Superior Court of San Bernardino County;

CIVDS1503985.) Petition for review after the Court of Appeal reversed the judgment in an action for administrative mandate. This case includes the following issue: Is a proposed initiative measure that would impose a tax subject to the requirement of California Constitution, article XIII C, section 2 that taxes “imposed by local government” be placed on the ballot at a general election?

**(2) *Rubenstein (Latrice) v. Doe No. 1 et al., S234269***

#16-219 Rubenstein (Latrice) v. Doe No. 1 et al., S234269. (D066722; 245 Cal.App.4th

1037; Superior Court of Imperial County; ECU08107.) Petition for review after the

Court of Appeal reversed the judgment in a civil action. This case presents the following

issues: (1) Does the delayed discovery rule in Code of Civil Procedure section 340.1

apply to the accrual of a cause of action against a public entity for purposes of

determining the time within which a claim under the Government Claims Act must be

made? (2) Does Government Code section 905, subdivision (m), apply to childhood

sexual abuse causes of action based on conduct occurring before January 1, 2009?

**(3) *F. P. v. Monier (Joseph), S216566 (To be called and continued to the September 2017 calendar.)***

#14-40 F. P. v. Monier (Joseph), S216566. (C062329; 222 Cal.App.4th 1087; Superior Court of Sacramento County; 06AS00671.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court limited review to the following issue: Is a trial court's error in failing to issue a statement of decision upon a timely request reversible per se?

**(4) *People v. Pennington (Bryan M.), S222227***

#14-141 People v. Pennington (Bryan M.), S222227. (B249482; 229 Cal.App.4th 1376; Superior Court of Santa Barbara County; 1423213.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court limited review to the following issue: Did the People prove that the named victim, a harbor patrol officer for the City of Santa Barbara Waterfront Department, is a peace officer within the meaning of Penal Code section 243, subdivision (b), supporting defendant's conviction for battery on a peace officer?

**1:30 P.M.**

**(5) *People v. Jones (Kiongozi), S075725* [Automatic Appeal]**

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