



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

April 25, 2014

Summary of Cases Accepted and Related Actions for Week of April 21, 2014

[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.]

#14-42 *People v. Goolsby*, S216648. (E052297; 222 Cal.App.4th 1323; San Bernardino County Superior Court; FSB905099.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case presents the following issue: Did the Court of Appeal err in holding that Penal Code section 654 and *Kellett v. Superior Court* (1966) 63 Cal.2d 822 prohibited retrying defendant on a lesser related offense, when the prosecution had not formally charged him with the lesser offense but the jury was instructed on it without objection?

DISPOSITION

Review in the following case was dismissed in light of *People v. Shockley* (2013) 58 Cal.4th 400:

#11-140 *People v. Gray*, S197749.

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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.