



**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions for Week of August 6, 2012

*[This news release is issued to inform the public about cases that the California Supreme Court has accepted, their general subject matter, and related actions. The statement of the issue or issues in each case does not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.]*

**#12-87 *People v. Johnson, S202790.*** (F057736; 205 Cal.App.4th 594; Kern County Superior Court; BF122135A, BF122135B, BF122135C.) Petition for review after the Court of Appeal reversed in part and affirmed in part judgments of conviction of criminal offenses. This case presents the following issue: Is there a crime of conspiracy to commit the offense of active participation in a criminal street gang in violation of Penal Code section 186.22, subdivision (a)?

**#12-88 *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority, S202828.*** (B232655; 205 Cal.App.4th 552; Los Angeles County Superior Court; BS125233.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. This case includes the following issue: Under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.), is a public agency required to evaluate a project's potential traffic and other impacts using a baseline consisting of the existing physical conditions in the affected area during the period of environmental review, or may an agency elect to evaluate the impacts of a project only against projected future conditions?

**#12-89 *People v. Olague, S203298.*** (H036888; 205 Cal.App.4th 1126; Santa Clara County Superior Court; 211361.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending finality of the decision in *People v. Brown* (2012) 54 Cal.4th 314.

### DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Jones* (2012) 54 Cal.4th 350:

**#11-26 *People v. Atencio, S189461.***

**#11-132 *People v. Torres, S195870.***

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