



[Supreme Court of California](#)

350 McAllister Street, San Francisco, CA 94102-4797

**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions During Week of September 14, 2015

*[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.]*

**#15-164 *Castro v. Indymac Indx Mortgage Loan Trust 2005-AR21, S227876.***

(E061030, E061704; nonpublished opinion; Riverside County Superior Court; INC1302920.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court ordered briefing deferred pending decision in *Yvanova v. New Century Mortgage Corp.*, S218973 (#14-100), which presents the following issue: In an action for wrongful foreclosure on a deed of trust securing a home loan, does the borrower have standing to challenge an assignment of the note and deed of trust on the basis of defects allegedly rendering the assignment void?

**#15-165 *People v. Finney, S228478.*** (B254802; nonpublished opinion; Los Angeles County Superior Court; SA020932.) Petition for review after the Court of Appeal affirmed the denial of a petition to recall sentence.

**#15-166 *People v. Landry, S228402.*** (H040337; nonpublished opinion; Santa Clara County Superior Court; 186848.) Petition for review after the Court of Appeal affirmed the denial of a petition to recall sentence.

**#15-167 *People v. Martin, S228352.*** (H040617; nonpublished opinion; Santa Clara County Superior Court; 20248.) Petition for review after the Court of Appeal affirmed the denial of a petition to recall sentence.

The court ordered briefing in *Finney*, *Landry*, and *Martin* deferred pending decision in *People v. Chaney*, S223676 (#15-13), and *People v. Valencia*, S223825 (#15-14), which 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 on retroactivity or other grounds to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

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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.*