



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

September 22, 2017

Summary of Cases Accepted and Related Actions During Week of September 18, 2017

[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.]

#17-278 *Frlekin v. Apple, Inc.*, S243805. (9th Cir. No. 15-17382; ___ F.3d ___, 2017 WL 3723235; Northern District of California; Nos. C 13-03451 WHA, No. C 13-03775 WHA, C 13-04727 WHA.) Request under California Rules of Court rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. The question presented is: “Is time spent on the employer’s premises waiting for, and undergoing, required exit searches of packages or bags voluntarily brought to work purely for personal convenience by employees compensable as ‘hours worked’ within the meaning of California Industrial Welfare Commission Wage Order No. 7?”

#17-279 *People v. Andon*, S243813. (H042488; nonpublished opinion; Santa Clara County Superior Court; F1348027.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence.

#17-280 *People v. Ragsdale*, S243757. (F071852; nonpublished opinion; Fresno County Superior Court; F12900361, F14907684.) Petition for review after the Court of Appeal affirmed in part and reversed in part affirmed an order denying a petition to recall sentence.

The court ordered briefing in *Andon* and *Ragsdale* deferred pending decision in *People v. Page*, S230793 (#16-28), which presents the following issue: Does Proposition 47 (“the Safe Neighborhoods and Schools Act”) apply to the offense of unlawful taking or driving a vehicle (Veh. Code, § 10851), because it is a lesser included offense of Penal Code section 487, subdivision (d), and that offense is eligible for resentencing to a misdemeanor under Penal Code sections 490.2 and 1170.18?

#17-281 *People v. Carter, S243417.* (H043251; nonpublished opinion; Santa Clara County Superior Court; C1518626.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Ruiz, S235556* (#16-312), which presents the following issue: May a trial court properly impose a criminal laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)) and a drug program fee (Health & Saf. Code, § 11372.7, subd. (a)) based on a defendant's conviction for conspiracy to commit certain drug offenses?

#17-282 *People v. Davis, S243109.* (B265537; nonpublished opinion; Los Angeles County Superior Court; TA136469.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Valenzuela, S232900* (#16-97), which presents the following issue: Is a defendant eligible for resentencing on the penalty enhancement for serving a prior prison term on a felony conviction after the superior court has reclassified the underlying felony as a misdemeanor under the provisions of Proposition 47?

#17-283 *People v. Finley, S243792.* (H043668; nonpublished opinion; Santa Clara County Superior Court; C1508768.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#17-284 *In re J.L., S243234.* (H043273; nonpublished opinion; Santa Clara County Superior Court; JV41105.) Petition for review after the Court of Appeal affirmed in part and reversed in part orders in a juvenile wardship proceeding.

The court ordered briefing in *Finley* and *J.L.* deferred pending decision in *In re Ricardo P., S230923* (#16-41), which presents the following issue: Did the trial court err imposing an "electronics search condition" on minor as a condition of his probation when it had no relationship to the crimes he committed but was justified on appeal as reasonably related to future criminality under *People v. Olguin* (2008) 45 Cal.4th 375 because it would facilitate his supervision?

#17-285 *People v. Wade, S243311.* (A141133; nonpublished opinion; Marin County Superior Court; SC180336.) Petition for review after the Court of Appeal conditionally reversed and remanded a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Mendoza, S241647* (#17-208), which presents the following issue: Are the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court applicable to cases not yet final on appeal?

STATUS

#16-335 *Rand Resources, LLC v. City of Carson*, S235735. The court requested the parties to file supplemental briefs addressing the effect, if any, of *Park v. Board of Trustees of California State University* (2017) 2 Cal.5th 1057 on the issues presented in this case.

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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.