



NEWS RELEASE

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Summary of Cases Accepted During the Week of October 10, 2011

[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.]

#11-121 *People v. Carbajal, S195600.* (B222615; 197 Cal.App.4th 32; Los Angeles County Superior Court; BA316526.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents the following issue: Was retrial on sentencing allegations under the one strike law (Pen. Code, § 667.61) barred by double jeopardy although the first jury never reached or resolved the issue?

#11-122 *People v. Williams, S195187.* (B222845; 197 Cal.App.4th 339; Los Angeles County Superior Court; MA046168.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents the following issue: Can a conviction for robbery be based on the use of force in the attempt to escape after committing the crime of theft by false pretenses as opposed to theft by larceny?

#11-123 *In re Reed, S196158.* (D058592; nonpublished opinion; San Diego County Superior Court; SCD114255.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. The court ordered briefing deferred pending decision in *In re Vicks*, S194129 (#11-86), which presents the following issue: Can Penal Code section 3041.5, as amended by the "Victims' Bill of Rights Act of 2008: Marsy's Law," which decreased the frequency of parole consideration hearings, be applied to life inmates convicted before the effective date of the amendments without violating the ex post facto clauses of the state and federal Constitutions?