

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT

MISCELLANEOUS ORDER 2022-01

COURT OF APPEAL – SECOND DIST.

FILED

Feb 1, 2022

DANIEL P. POTTER, Clerk

Dan Potter Deputy Clerk

Recently enacted laws effective January 1, 2022 may affect criminal judgments currently under review in this court, including SB 567 (amending Pen. Code, §§ 1170 1170.1), AB 1540 (adding Pen. Code, § 1170.03), AB 518 (amending Pen. Code, § 654), SB 317 (amending Pen. Code, § 4019), SB 483 (adding Pen. Code, §§ 1171 and 1171.1), SB 775 (amending Pen. Code, § 1170.95), and AB 333 (amending Pen. Code, § 186.22).

In any case currently pending in this court in which appellant's opening brief has already been filed, and in which the judgment may be affected by one or more of the newly-enacted laws specified above, appellant may file a supplemental brief directed solely to the question whether appellant is entitled to relief under the new law(s). Appellant's supplemental brief shall be filed within 20 days of this order.

If appellant files such a supplemental brief, and a respondent's brief has already been filed, respondent may file a supplemental respondent's brief within 20 days of appellant's supplemental brief. If appellant has already filed a reply brief (or the time for filing a reply brief has passed), appellant may file a supplemental reply brief within 15 days after respondent's supplemental brief.

If supplemental briefing cannot be completed before a scheduled oral argument, either party may file a request for continuance of the argument pending completion of the supplemental briefing.

If the matter has already been submitted, or an opinion has issued and the decision is not yet final, counsel who believes that one of the newly-enacted laws may apply to the case should contact the division clerk to inquire how to proceed.

Dated: February 1, 2022



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Administrative Presiding Justice