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NEWS RELEASE

Release Number: **S.C. 11/10**

Release Date: **March 19, 2010**

Summary of Cases Accepted During the Week of March 15, 2010

[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.]

#10-32 *People v. Anunciation, S179423.* (D054988; nonpublished opinion; Riverside County Superior Court; INF056054.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Dungo*, S176886 (#09-77), *People v. Gutierrez*, S176620 (#09-78), *People v. Lopez*, S177046 (#09-79), and *People v. Rutterschmidt*, S176213 (#09-80), which present issues concerning the right of confrontation under the Sixth Amendment when the results of forensic tests performed by a criminalist who does not testify at trial are admitted into evidence and how the decision of the United States Supreme Court in *Melendez-Diaz v. Massachusetts* (2009) 557 U.S. ___, 129 S.Ct. 2527, 174 L.Ed.2d 314, affects this court's decision in *People v. Geier* (2007) 41 Cal.4th 555.

#10-33 *People v. Cason, S179344.* (E047440; 179 Cal.App.4th 1419; Riverside County Superior Court; SWF022145.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Zambia*, S173490 (#09-47), which presents the following issue: (1) Does the offense of pandering require the specific intent to encourage another person to become a prostitute? (2) Can a defendant be convicted of pandering for offering to act as a pimp for a woman who appears to be already working as a prostitute?

#10-34 *People v. Pasillas, S179190.* (D053109; nonpublished opinion; San Diego County Superior Court; SCD205930.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People*

v. Mena, S173973 (#09-50), which presents the following issue: Did defendant forfeit his right to appeal the denial of his request for a physical identification lineup prior to the preliminary hearing (see *Evans v. Superior Court* (1974) 11 Cal.3d 617) because he failed to seek immediate review of the ruling by filing a petition for writ of mandate?

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