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NEWS RELEASE

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Summary of Cases Accepted During the Week of March 17, 2008

[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.]

#08-59 *People v. Hughes*, S160823. (C053742; nonpublished opinion; Modoc County Superior Court; F05026.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#08-60 *People v. Larkin*, S159848. (B193832; nonpublished opinion; Los Angeles County Superior Court; LA048009.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Hughes* and *Larkin* deferred pending decision in *People v. Towne*, S125677 (#04-75), which presents issues concerning the use as aggravating sentencing of such factors as being on probation or parole when a crime was committed and prior unsatisfactory performance on probation or parole.

#08-61 *Voices of the Wetlands v. State Water Resources Control Bd.*, S160211. (H028021; 157 Cal.App.4th 1268; Monterey County Superior Court; M54889.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. The court ordered briefing deferred pending decision on the petitions for writ of certiorari in *Entergy Corporation v. Environmental Protection Agency*, No. 07-588, *PSEG Fossil LLC v. Riverkeeper, Inc.*, No. 07-589, and *Utility Water Act Group v. Riverkeeper, Inc.*, No. 07-598, which present issues concerning the application of section 316(b) of the Clean Water

Act (33 U.S.C. § 1326(b)) to the issuance of a National Pollutant Discharge Elimination System permit.

DISPOSITION

Review in the following case was dismissed in light of *People v. Watson* (2007) 42 Cal.4th 822:

#05-87 People v. Patrick, S131176.

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