



NEWS

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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MARCH 29, 2004

[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 description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#04-29 *Coachella Valley Mosquito & Vector Control Dist. v. California Public Employment Relations Bd.*, S122060. (E031527; 114 Cal.App.4th 46; Riverside County Superior Court; INC 26814.) Petition for review after the Court of Appeal affirmed the judgment in an action for administrative mandate. This case includes the following issue: Did legislation transferring initial jurisdiction over unfair labor practice claims under the Meyers-Milius-Brown Act (Gov. Code, §§ 3500-3511) from the superior court to the Public Employment Relations Board (Stats. 2000, ch. 901) thereby reduce the statute of limitations for filing such claims from three years (Code Civ. Proc., § 338, subd. (a)) to the six-month filing period for claims filed with the Board under the Education Employment Relations Act (Gov. Code, §§ 3540-3549.3)?

DISPOSITIONS

The following cases were dismissed:

#01-170 *Balser v. Wells Fargo Bank, N.A.*, S101833.

#02-48 *Gehrs v. Planned Parenthood Golden Gate*, S103793.

#02-116 *Krupp v. Lombard Street Equities*, S106903.

#02-141 *Moradi v. Pimental Private Security*, S107612.

#02-158 *People v. Hayes*, S108862.

(over)

#03-60 *Smith v. M.D.*, S114192.

#03-108 *M.K. v. Smith*, S117634.

#03-115 *Navarette v. Holland*, S117201.

STATUS

#03-13 *People v. Edmonton*, S112168. In this case in which review was previously granted, the court ordered further action deferred pending decision in *People v. Leal*, S114399 (#03-56), which presents the following issue: Does the element of “duress” for purposes of forcible sexual offenses other than rape and spousal rape include within its definition the concept of “hardship” that was deleted from the definition of “duress” for forcible rape and spousal rape (Stats. 1993, ch. 595, § 1), or does the deletion of “hardship” from the definition of “duress” in those statutes apply to the meaning of “duress” for all forcible sexual offenses?

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