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NEWS RELEASE

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Summary of Cases Accepted During the Week of April 13, 2009

#09-14 *People v. Fontana, S170528.* (A117503; nonpublished opinion; San Francisco County Superior Court; 192597.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case presents the following issue: Did the Court of Appeal correctly hold (a) that the protections of the rape shield law (Evid. Code, §§ 782, 1103) did not apply in this case due to defendant's denial that he had sexual intercourse with the victim and (b) that the trial court thus committed reversible error when it excluded evidence that the victim had engaged in consensual sexual intercourse with her boyfriend on the morning of the alleged sexual assault?

#09-15 *People v. Force, S170831.* (G039186; 170 Cal.App.4th 797; Orange County Superior Court; M9001.) Petition for review after the Court of Appeal affirmed an order of commitment as a sexually violent predator. The court ordered briefing deferred pending decision in *People v. McKee, S162823* (#08-107), which presents the following issues: Does the amended Sexually Violent Predator Act violate appellant's constitutional rights to due process of law, is it an illegal ex post facto law, and does it violate equal protection?

#09-16 *People v. Superior Court (Pearson), S171117.* (A120430; nonpublished opinion; Contra Costa County Superior Court; 059517012.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. The court ordered briefing deferred pending decision in *Barnett v. Superior Court, S165522* (#08-142), which presents issues concerning post-conviction discovery under Penal Code section 1054.9.