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NEWS RELEASE

Release Number: **S.C. 17/08**

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Summary of Cases Accepted During the Week of April 21, 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.]

#08-74 *People v. Story*, S161044. (H030020; nonpublished opinion; Santa Clara County Superior Court; 210711.) Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case presents the following issue: Was evidence of defendant's other sexual offenses admissible under Evidence Code section 1108, even though the charged crime of murder is not among the specific sex offenses listed in section 1108, because the target offense of rape for the prosecution's theory of felony murder *is* a listed offense?

#08-75 *People v. Bowden*, S161149. (B186613; nonpublished opinion; Los Angeles County Superior Court; BA276160.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. The court ordered briefing 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.

DISPOSITION

Review in the following case was dismissed in light of *Rico v. Mitsubishi Motors Corp.* (2007) 42 Cal.4th 807:

#04-80 *Jasmine Networks, Inc. v. Marvell Semiconductor, Inc.*, S124914.