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# NEWS RELEASE

Release Number: **S.C. 20/10**

Release Date: **May 21, 2010**

## Summary of Cases Accepted During the Week of May 17, 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.]*

**#10-61 *California Attorneys, Etc. v. Schwarzenegger*, S182581.**

(A125292; 182 Cal.App.4th 1424; San Francisco County Superior Court; 509205.) Review on the court's own motion after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. The court directed the parties to address the following issue: Does the Governor have the authority to furlough the state employees at issue in this case by executive order? The court also stated that review in this case may be undertaken in conjunction with possible consideration of similar issues in cases that are pending in the Court of Appeal.

**#10-62 *People v. Carranco*, S181567.** (H032412; nonpublished opinion; Santa Cruz County Superior Court; F12954.) 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. Hernandez*, S178823 (#10-22), which presents the following issue: Did the trial court's gag order, which precluded defense counsel from discussing with defendant a sealed declaration of a testifying prosecution witness and a transcript of that witness's plea-agreement proceedings, so completely deprive defendant of his right to counsel as to constitute structural error reversible without a showing of prejudice or did the gag order implicate defendant's right to counsel in a manner requiring a showing of prejudice before reversal would be required?

**#10-63 *People v. Tillis*, S180501.** (D054245; nonpublished opinion; San Diego County Superior Court; SCD209842.) Petition for review after the Court of Appeal affirmed in part and reversed in part 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?

## **DISPOSITIONS**

Review in the following case was dismissed:

***#09-11 Hertz Corp. v. Workers' Comp. Appeals Bd., S169313***

Review in the following case was dismissed in light of *People v. McKee* (2010) 47 Cal.4th 1172:

***#09-15 People v. Force, S170831.***

The following cases were transferred for reconsideration in light of *People v. McKee* (2010) 47 Cal.4th 1172:

***#08-133 People v. Johnson, S164388.***

***#08-136 People v. Riffey, S164711.***

***#08-150 People v. Boyle, S166167.***

***#08-155 People v. Garcia, S166682.***

***#09-60 People v. Johndrow, S175337.***

***#10-04 People v. Rotroff, S178455.***

***#10-17 People v. Glenn, S178140.***

The following case was transferred for reconsideration in light of *People v. Soria* (2010) 48 Cal.4th 58:

***#09-28 People v. Torres, S171429.***