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# NEWS RELEASE

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## Summary of Cases Accepted During the Week of August 22, 2005

*[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.]*

**#05-185 *California Earth Corps v. California State Lands Com.*, S134300.** (C041603; 128 Cal.App.4th 756; Sacramento County Superior Court; 01CS01556.) Petition for review after the Court of Appeal reversed the judgment in an action for writ of administrative mandate. This case includes the following issue: Does Public Resources Code section 6307, which permits the State Lands Commission to exchange tidelands currently subject to the public trust for other lands of equal value whenever it appears to the commission to be in the best interests of the state “for the improvement of navigation, aid in reclamation, or for flood control, or to enhance the configuration of the shoreline for the improvement of the water and upland,” permit such an exchange only when the exchange will serve any of the designated purposes *with respect to the land that is currently subject to the public trust*, or does the statute also permit an exchange when any of these purposes will be furthered *with respect to the land that is to be acquired and will become subject to the public trust as a result of the exchange*?

**#05-186 *People v. Crandell*, S134883.** (H027641; unpublished opinion; Santa Clara County Superior Court; CC268506.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents the following issue: Does the imposition of a restitution fine under Penal Code section 1202.4, subdivision (b), violate a defendant’s plea agreement if the fine was not an express term of the agreement?

(over)

**#05-187 *Hebrew Academy of San Francisco v. Goldman*, S134873.** (A106618; 129 Cal.App.4th 391; San Francisco County Superior Court; 414796.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: When a publication containing an allegedly defamatory statement is available to the public but has a very limited distribution, does the statute of limitations on a defamation cause of action begin to run at the time of the first general distribution (the “single publication rule”) or when the allegedly defamatory statement is or reasonably should have been discovered (the “discovery rule”)?

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