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NEWS RELEASE

Release Number: **S.C. 35/08**

Release Date: **August 29, 2008**

Summary of Cases Accepted During the Week of August 25, 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.]

#08-138 *Azure Limited v. I-Flow Corp.*, S164884. (G038167; 163 Cal.App.4th 303; Orange County Superior Court; 06CC07434.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Is the statutory immunity accorded a corporation that transfers escheated shares of stock to the state (Code Civ. Proc. § 1532, subd. (d)) absolute or conditional?

#08-139 *People v. Soria*, S164796. (H031237; 163 Cal.App.4th 247; Santa Clara County Superior Court; CC506587, CC507417, CC508203.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses. This case presents the following issue: Can a restitution fine of up to \$10,000 be imposed in each non-consolidated case resolved by a package plea agreement, or is the total restitution fine for the cases as a whole limited to \$10,000?

DISPOSITIONS

Review in the following cases was dismissed in light of *People v. Towne* (2008) 44 Cal.4th 63:

#07-11 *People v. Hernandez*, S148974.

#07-12 *People v. Pardo*, S148914.

#07-19 *People v. Crawford*, S148445.

#07-25 *People v. Hernandez*, S148992.

#07-26 *People v. Holdaway*, S149022.

#07-30 *People v. Resto*, S149244.

#07-52 People v. Torres, S148670.
#07-56 People v. Camacho, S149429.
#07-68 People v. Tinajero, S149418.
#07-76 People v. Green, S149670.
#07-90 People v. Bacon, S149595.
#07-141 People v. Fonseca, S150771.
#07-155 People v. Wilson, S150303.
#07-232 People v. Marroquin, S152563.
#07-266 People v. Heims, S152922.
#07-278 People v. Reibstein, S152930.
#07-322 People v. Lopez, S153829.
#07-324 People v. Perez, S153741.
#07-336 People v. George, S154071.
#07-377 People v. Mariani, S154471.
#07-380 People v. Santacruz, S153433.
#07-386 People v. Baldwin, S154264.
#07-387 People v. Garcia, S154416.
#07-388 People v. Macklin, S154280.
#07-389 People v. Perez, S154845.
#07-390 People v. Torres, S154461.
#07-418 People v. Azam, S156008.
#07-419 People v. Macias, S156127.
#07-420 People v. Zuniga, S156327.
#07-450 People v. Goodsby, S156854.
#07-451 People v. Guerrero, S156049.
#07-452 People v. Ramos, S157451.
#07-466 People v. MacManus, S157369.
#07-468 People v. Yates, S157935.
#07-471 People v. Brock, S157738.
#08-06 People v. Allison, S158278.
#08-09 People v. Viera, S158301.
#08-16 People v. Moore, S158888.
#08-17 People v. Thomas, S158980.
#08-18 People v. Venzor, S158821.
#08-19 People v. Zepeda, S158717.
#08-23 People v. Vang, S159190.
#08-26 People v. Banegas, S158978.
#08-33 People v. Beckham, S159850.
#08-34 People v. Bocanegra, S158828.
#08-35 People v. Gonzales, S159835.
#08-36 People v. Martinez, S159730.
#08-37 People v. Trejo, S159660.

#08-48 *People v. Trujillo*, S160196.
#08-53 *People v. Curtis*, S160502.
#08-54 *People Guess*, S160395.
#08-55 *People v. Herrera*, S160399.
#08-56 *People v. Silla*, S160544.
#08-57 *People v. Tucek*, S159871.
#08-59 *People v. Hughes*, S160823.
#08-60 *People v. Larkin*, S159848.
#08-63 *People v. Espino*, S160067.
#08-71 *People v. Smith*, S160467.
#08-75 *People v. Bowden*, S161149.
#08-77 *People v. Martinez*, S160842.
#08-81 *People v. Anderson*, S161576.
#08-82 *People v. Maxey*, S161553.
#08-90 *People v. Punch*, S161825.
#08-100 *People v. Abercrombie*, S162743.

The following cases were transferred for reconsideration in light of *People v. Towne* (2008) 44 Cal.4th 63:

#07-102 *People v. Shchirskiy*, S150129.
#07-166 *People v. Aguilar*, S151339.
#07-170 *People v. Costa*, S151236.
#07-195 *People v. Martinez*, S151498.
#07-274 *People v. Ortiz*, S152996.
#07-293 *People v. Rizo*, S153176.
#07-372 *People v. Evans*, S153757.
#07-401 *People v. Pacheco*, S153739.
#08-52 *People v. Conerly*, S159336.

The following cases were transferred for reconsideration in light of *People v. Towne* (2008) 44 Cal.4th 63 and *People v. Sandoval* (2007) 41 Cal.4th 825:

#07-13 *People v. Myuemba*, S149247.
#07-241 *People v. Sargeant*, S152292.
#07-400 *People v. Caesar*, S154793.

The following case was transferred for reconsideration in light of *People v. Towne* (2008) 44 Cal.4th 63 and *People v. French* (2008) 43 Cal.4th 36:

#08-14 *People v. Chaffee*, S158873.

STATUS

#07-297 *People v. Steele*, S153296. In this case in which briefing was previously deferred pending further order of the court and decision in *People v. Towne* (2008) 44 Cal.4th 63, the court ordered action deferred pending decision in *People v. Nguyen*, S154847 (#07-416), which presents the following issue: Can a prior juvenile adjudication of a criminal offense in California constitutionally subject a defendant to the provisions of the three strikes law (Pen. Code, §§ 667, subds. (b)-(i), 1170.12) although there is no right to a jury trial in juvenile wardship proceedings in this state?

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