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# NEWS RELEASE

Release Number: **S.C. 39/09**

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## **Summary of Cases Accepted During the Week of September 28, 2009**

*[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.]*

**#09-61 *People v. Hajjaj*, S175307.** (D054754; 175 Cal.App.4th 415; Riverside County Superior Court; SWF024102.) Petition for review after the Court of Appeal reversed an order of dismissal of a criminal proceeding. This case presents the following issue: Did the trial court err in dismissing this case for violation of defendant's statutory right to a speedy trial when a courtroom became available on the last day for trial, but the courtroom was too far away for trial actually to commence on that day?

**#09-62 *People v. Wagner*, S175794.** (E047167; 175 Cal.App.4th 1377; Riverside County Superior Court; SWF015764.) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding. This case includes the following issues: (1) Did the trial court err in dismissing this case for violation of defendant's statutory right to a speedy trial on the ground no criminal courtroom was available? (2) Should criminal cases facing dismissal on speedy trial grounds be given precedence over civil cases pursuant to Penal Code section 1050, subdivision (a), either as a matter of law or under the circumstances of this case?

### **STATUS**

*People v. Martinez*, S074624. The court requested the parties to file supplemental letter briefs addressing the following question in this automatic appeal: Are the police required to stop questioning and clarify a suspect's ambiguous statement concerning an invocation of the right to remain silent?