

***People v. Trujillo (Manuel), S130080***

#05-42 People v. Trujillo (Manuel), S130080. (H026000; unpublished opinion; Superior Court of Santa Clara County; CC125830.) Petition for review after the Court of Appeal reversed a finding that defendant's prior conviction was not a "strike" within the meaning of the three-strikes law. This case includes the following issues: May the People appeal a finding that a prior conviction was not a serious felony within the meaning of the three-strikes law, or appeal the resulting allegedly unlawful sentence? (See Pen. Code, § 1238(a) & (d).) Did the trial court err in ruling that defendant's alleged prior conviction for inflicting corporal injury in violation of Penal Code section 273.5, subdivision (a), was not a "strike"?

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