



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

January 29, 2016

Summary of Cases Accepted and Related Actions During Week of January 25, 2016

[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.]

#16-27 Jameson v. Desta, S230899. (D066793; 241 Cal.App.4th 491; San Diego County Superior Court; GIS9465.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: In the case of a litigant who has been granted a fee waiver (Gov. Code, § 68631), can a county's superior court employ a policy that has the practical effect of denying the services of an official court reporter to civil litigants who have been granted such a fee waiver, if the result is to preclude those litigants from procuring and providing a verbatim transcript for appellate review?

#16-28 People v. Page, S230793. (E062760; 241 Cal.App.4th 714; San Bernardino County Superior Court; FVI1201369.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. This case presents the following issue: Does Proposition 47 ("the Safe Neighborhoods and Schools Act") apply to the offense of unlawful taking or driving a vehicle (Veh. Code, § 10851), because it is a lesser included offense of Penal Code section 487, subdivision (d), and that offense is eligible for resentencing to a misdemeanor under Penal Code sections 490.2 and 1170.18?

#16-29 People v. Blacknell, S230837. (A135721; nonpublished opinion; Contra Costa County Superior Court; 51108166.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses.

#16-30 People v. Edwards, S230753. (H038422; 241 Cal.App.4th 213; Santa Clara County Superior Court; CC512062.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Blacknell* and *Edwards* deferred pending decision in *People v. Sanchez*, S216681 (#14-47), which presents the following issue: Was defendant's Sixth Amendment right to confrontation violated by the gang expert's reliance on testimonial hearsay (*Crawford v. Washington* (2004) 541 U.S. 36)?

#16-31 *People v. Franklin*, S231419. (H040085; nonpublished opinion; San Benito County Superior Court; CR1201725.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Chaney*, S223676 (#15-13), and *People v. Valencia*, S223825 (#15-14), which present the following issue: Does the definition of "unreasonable risk of danger to public safety" (Pen. Code, § 1170.18, subd. (c)) under Proposition 47 ("the Safe Neighborhoods and Schools Act") apply on retroactivity or other grounds to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

#16-32 *People v. Garness*, S231031. (E062947; 241 Cal.App.4th 1370; San Bernardino County Superior Court; FWV1202232.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. The court ordered briefing deferred pending decision in *People v. Romanowski*, S231405 (#16-24), which presents the following issue: Does Proposition 47 ("the Safe Neighborhoods and Schools Act"), which reclassifies as a misdemeanor any grand theft involving property valued at \$950 or less (Pen. Code, § 490.2), apply to theft of access card information in violation of Penal Code section 484e, subdivision (d)?

#16-33 *In re Tyler R.*, S231144. (B261136; 241 Cal.App.4th 1250; Los Angeles County Superior Court; DK06923.) Petition for review after the Court of Appeal affirmed orders in a juvenile dependency proceeding. The court ordered briefing deferred pending decision in *In re R.T.*, S226416 (#15-92), which presents the following issue: Does Welfare and Institutions Code section 300, subdivision (b)(1), authorize dependency jurisdiction without a finding that parental fault or neglect is responsible for the failure or inability to supervise or protect the child?

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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.