



Supreme Court of California  
350 McAllister Street, San Francisco, CA 94102-4797  
[www.courts.ca.gov/supremecourt](http://www.courts.ca.gov/supremecourt)

**NEWS RELEASE**

Contact: [Cathal Conneely](mailto:Cathal.Conneely@courts.ca.gov), 415-865-7740

**FOR IMMEDIATE RELEASE**

February 14, 2014

---

## Summary of Cases Accepted and Related Actions for Week of February 10, 2014

*[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.]*

**#14-18 *In re Brianna M., S214955.*** (B245203; 220 Cal.App.4th 1025; Los Angeles County Superior Court; CK93880.) Petition for review after the Court of Appeal remanded for compliance with the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.) and otherwise affirmed the order on a petition to establish parentage. This case presents the following issue: If one man seeking presumptive father status in a dependency action has completed a voluntary declaration of paternity under Family Code section 7573 and another man seeking presumptive father status has satisfied the criteria of Family Code section 7611, subdivision (d), is the voluntary declaration of paternity controlling as a matter of law?

**#14-19 *In re Marriage of Davis, S215050.*** (A136858; 220 Cal.App.4th 1109; Alameda County Superior Court; RF08428441.) Petition for review after the Court of Appeal affirmed an order in a marital dissolution proceeding. The court limited review to the following issue: For the purpose of establishing the date of separation under Family Code section 771, may a couple be “living separate and apart” when they reside in the same residence?

**#14-20 *State Dept. of State Hospitals v. Superior Court, S215132.*** (B248603; 220 Cal.App.4th 1503; Los Angeles County Superior Court; BC487936.) Petition for review after the Court of Appeal granted in part and denied in part a petition for peremptory writ of mandate. This case presents the following issues: (1) Did the state comply with the requirement of the Sexually Violent Predator Act (Welf. & Inst. Code, § 6600 et seq.) that it conduct a “full evaluation” of an inmate potentially qualifying as a “sexually

violent predator” prior to the inmate’s release? (2) Did the Court of Appeal err in finding that, as a matter of law, plaintiff could not establish that defendants’ actions were a proximate cause of her injuries?

# # #

*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.*