



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
www.courts.ca.gov/supremecourt

NEWS RELEASE

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

FOR IMMEDIATE RELEASE

February 15, 2019

Summary of Cases Accepted and Related Actions During Week of February 11, 2019

[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.]

#19-17 *People v. Conatser*, S253438. (A154326; nonpublished opinion; Napa County Superior Court; CR167593.) Petition for review after the Court of Appeal affirmed an order denying a post-judgment motion in a criminal matter.

#19-18 *People v. Grzymiski*, S252911. (A153015; 28 Cal.App.5th 799; Humboldt County Superior Court; CR1500452.) Petition for review after the Court of Appeal affirmed judgments of conviction of criminal offenses.

The court ordered briefing in *Conaster* and *Grzymiski* deferred pending decision in *People v. McKenzie*, S251333 (#18-161), which presents the following issue: When is the judgment in a criminal case final for purposes of applying a later change in the law if the defendant was granted probation and imposition of sentence was suspended?

#19-19 *In re Montes*, S252994. (E069533; nonpublished opinion; San Bernardino County Superior Court; FVI012901, WHCJS1700300.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. The court ordered briefing deferred pending decision in *In re Cook*, S240153 (#17-116), which presents the following issue: Does habeas corpus jurisdiction exist for a petitioner seeking a post-sentencing hearing to make a record of “mitigating evidence tied to his youth” (*People v. Franklin* (2016) 63 Cal.4th 261, 276) after the conviction is final?

#19-20 *People v. Smith*, S252932. (H044392; nonpublished opinion; Monterey County Superior Court; SS161119.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *In re Ricardo P.*, S230923 (#16-41) and *People v. Trujillo*, S244650 (#17-335), which present issues concerning the imposition of

an “electronics search condition” of probation if the devices subject to the condition had no relationship to the crime or crimes committed and use of the devices would not itself involve criminal conduct, but access to the devices might facilitate supervision of the probationer.

#19-21 Wilmot v. Contra Costa County Employees’ Retirement Assn., S252988.

(A152100; 29 Cal.App.5th 846; Contra Costa County Superior Court; MSN161730.)
Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. The court ordered briefing deferred pending decision in *Alameda County Deputy Sheriff’s Assn. v. Alameda County Employees’ Retirement Assn.*, S247095 (#18-49), which includes the following issue: Did statutory amendments to the County Employees’ Retirement Law (Gov. Code, § 31450 et seq.) made by the Public Employees’ Pension Reform Act of 2013 (Gov. Code, § 7522 et seq.) reduce the scope of the pre-existing definition of pensionable compensation and thereby impair employees’ vested rights protected by the contracts clauses of the state and federal Constitutions?

###

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.