



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

March 29, 2019

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## Summary of Cases Accepted and Related Actions During Week of March 25, 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.]*

**#19-31 *Donohue v. AMN Services, LLC*, S253677.** (D071865; 29 Cal.App.5th 1968; San Diego County Superior Court; 37-2014-00012605-CU-OE-CTL.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case includes the following issue: Can employers utilize practices upheld in the overtime pay context to round employees' time to shorten or delay meal periods?

**#19-32 *Stancil v. Superior Court*, S253783.** (A156100; nonpublished order; San Mateo County Superior Court; 18AD000039.) Petition for review after the Court of Appeal denied a petition for writ of mandate. The court issued an order to show cause and limited review to the following issue: Is a motion to quash service of summons the proper remedy to test whether a complaint states a cause of action for unlawful detainer?

**#19-33 *Yahoo! Inc. v. National Union Fire Ins. Co.*, S253593.** (9th Cir. No. 17-16452; 913 F.3d 923; Northern District of California No. 5:17-cv-00447-NC) Request under California Rules of Court rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit. This case concerns an insurer's duty under state law to defend its insured against a claim that the insured violated the federal Telephone Consumer Protection Act.

**#19-34 *In re Eddie P.*, S254134.** (D074294; nonpublished opinion; San Diego County Superior Court; J241320.) Petition for review after the Court of Appeal affirmed orders in a juvenile wardship proceeding.

**#19-35 *People v. Obie*, S253694.** (A153952; nonpublished opinion; Lake County Superior Court; CR948996.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Eddie P.* and *Obie* 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.

**#19-36 *People v. Meraz*, S253629.** (B245657; 30 Cal.App.5th 768; Los Angeles County Superior Court; PA065446.) Petition for review after the Court of Appeal affirmed in part and reversed in part judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Perez*, S248730 (#18-95), which presents the following issue: Did defendant’s failure to object at trial, before *People v. Sanchez* (2016) 63 Cal.4th 665 was decided, forfeit his claim that a gang expert’s testimony related case-specific hearsay in violation of his Sixth Amendment right of confrontation?

## DISPOSITIONS

The following case was transferred for reconsideration in light of *In re B.M.* (2018) 6 Cal.5th 528:

<b>#18-146 <i>People v. Koback</i>, S250870.</b>	(E066674; 25 Cal.App.5th 323; Riverside County Superior Court; RIF1506598)
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The following cases were transferred for reconsideration in light of *People v. Colbert* (2019) 6 Cal.5th 596:

<b>#18-17 <i>People v. Sullivan</i>, S245810.</b>	(A144708; nonpublished opinion; Sonoma County Superior Court; SCR593297)
<b>#18-169 <i>People v. Osotonu</i>, S251817.</b>	(A147060; 26 Cal.App.5th 973; Solano County Superior Court; FC44975)

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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.*