



Supreme Court of California
350 McAllister Street, San Francisco, CA 94102-4797
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NEWS RELEASE

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

FOR IMMEDIATE RELEASE

April 12, 2019

Summary of Cases Accepted and Related Actions During Week of April 8, 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.]

#19-37 *In re Scoggins*, S253155. (C084358; nonpublished opinion; Sacramento County Superior Court; 08F04643.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus. This case presents the following issue: Was the evidence at trial sufficient to support the robbery-murder special circumstance under *People v. Banks* (2015) 61 Cal.4th 788 and *People v. Clark* (2016) 63 Cal.4th 522?

#19-38 *People v. Gordon*, S253934. (E068521; nonpublished opinion; San Bernardino County Superior Court; FWV17000054.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

#19-39 *People v. Reed*, S254163. (F075285; nonpublished opinion; Tuolumne County Superior Court; CRF50066.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Gordon* and *Reed* 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.

#19-40 *Rall v. Tribune 365 LLC*, S254282. (B284566; 31 Cal.App.5th 479; Los Angeles County Superior Court; BC613703.) Petition for review after the Court of Appeal affirmed an order granting a special motion to strike in a civil action. The court ordered briefing deferred pending decision in *Wilson v. Cable News Network, Inc.*, S239686 (#17-83), which presents the following issue: In deciding whether an

employee's claims for discrimination, retaliation, wrongful termination, and defamation arise from protected activity for purposes of a special motion to strike (Code of Civ. Proc., § 425.16), what is the relevance of an allegation that the employer acted with a discriminatory or retaliatory motive?

DISPOSITIONS

Review in the following case was dismissed:

#18-171 <i>Bottini v. City of San Diego</i>, S252217.	(D071670; 27 Cal.App.5th 281; San Diego County Superior Court; 37-2013-00075491-CU-WM-CTL)
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The following cases were transferred for reconsideration in light of Senate Bill No. 1437 (Stats. 2018, ch. 1015):

#16-189 <i>People v. Morales</i>, S233255.	(B253249; nonpublished opinion; Los Angeles; KA098830)
#16-216 <i>People v. Kozee-Stoltz</i>, S233845.	(D069073; nonpublished opinion; Riverside County Superior Court; SWF1201090)
#16-279 <i>People v. Hamilton</i>, S234559.	(B256760; nonpublished opinion; Los Angeles County Superior Court; BA381749)
#17-48 <i>People v. Medrano</i>, S238692.	(F068714, F069206; nonpublished opinion; Tulare County Superior Court; VCF282470)
#17-80 <i>People v. Garcia</i>, S238634.	(B255328; nonpublished opinion; Los Angeles County Superior Court; VA128373)
#17-102 <i>People v. Corder</i>, S239594.	(B261370; nonpublished opinion; Los Angeles County Superior Court; PA073839)
#17-222 <i>People v. McGhee</i>, S241552.	(B265136; nonpublished opinion; Los Angeles County Superior Court; PA071844)
#17-264 <i>People v. Gillespie</i>, S242995.	(D069389; nonpublished opinion; San Diego County Superior Court; SCD258034)
#18-08 <i>People v. Ramirez</i>, S245171.	B265610; nonpublished opinion; Los Angeles County Superior Court; VA130983)
#18-44 <i>People v. Martinez-Carreon</i>, S246037.	A141670, A141679; nonpublished opinion; Marin County Superior Court; SC173762B, SC173762C

#18-75 <i>People v. Crockett</i>, S247837.	(B267614; nonpublished opinion; Los Angeles County Superior Court; SA071297)
#18-97 <i>People v. Adams</i>, S248778.	(B252187; nonpublished opinion; Los Angeles County Superior Court; BA372321, TA103351)
#18-98 <i>People v. Vaughn</i>, S248671.	(B277941; nonpublished opinion; Los Angeles County Superior Court; TA138408)
#19-05 <i>People v. Munoz</i>, S252291.	(B283921; nonpublished opinion; Los Angeles County Superior Court; KA110065)

The following cases were transferred for reconsideration in light of Senate Bill No. 1437 (Stats. 2018, ch. 1015) and Senate Bill No. 620 (Stats. 2017, ch. 682):

#17-326 <i>People v. Lopez</i>, S243921.	(B271517; nonpublished opinion; Los Angeles County Superior Court; BA404685)
#17-348 <i>People v. Besenty</i>, S244887.	(B275222; nonpublished opinion; Los Angeles County Superior Court; TA115853)
#18-07 <i>People v. Epperson</i>, S245034.	(F072174; nonpublished opinion; Kings County Superior Court; 14CM1949)

The following case was transferred with directions to abate in light of the defendant's death:

#19-06 <i>People v. Voss</i>, S252723.	(B286260; nonpublished opinion; Ventura County Superior Court; 2011025347)
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STATUS

#19-33 *Yahoo! Inc. v. National Union Fire Ins. Co.*, S253593. The court restated the question in this case as follows: “Does a commercial general liability insurance policy that provides coverage for ‘personal injury,’ defined as ‘injury . . . arising out of . . . [o]ral or written publication, in any manner, of material that violates a person’s right of privacy,’ and that has been modified by endorsement with regard to advertising injuries, trigger the insurer’s duty to defend the insured against a claim that the insured violated the Telephone Consumer Protection Act by sending unsolicited text message advertisements that did not reveal any private information?”

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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.