



**NEWS RELEASE**

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

**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions for Week of May 20, 2013

*[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.]*

**#13-45 *Flores v. Presbyterian Intercommunity Hospital, S209836.*** (B235409; 213 Cal.App.4th 1386; Los Angeles County Superior Court; VC058225.) Petition for review after the Court of Appeal reversed an order of dismissal of a civil action. This case presents the following issues: (1) Does the one-year statute of limitations for claims under the Medical Injury Compensation Act (Code Civil Proc., § 340.5) or the two-year statute of limitations for ordinary negligence (Code Civil Proc., § 335.1) govern an action for premises liability against a hospital based on negligent maintenance of hospital equipment? (2) Did the injury in this case arise out of “professional negligence,” as that term is used in section 340.5, or ordinary negligence?

### DISPOSITIONS

Review in the following cases was dismissed in light of *People v. Lopez* (2012) 55 Cal.4th 569, *People v. Dungo* (2012) 55 Cal.4th 608, *People v. Rutterschmidt* (2012) 55 Cal.4th 650, and *Williams v. Illinois* (2012) \_\_ U.S.\_\_ [132 S.Ct. 2221]:

**#10-95 *People v. Chikosi, S184190.***

**#10-131 *People v. Miller, S186758.***

**#11-16 *People v. Thompson, S188661.***

**#11-74 *People v. Smith, S192048.***

**#11-88 *People v. Kelley, S193395.***

**#11-89 *People v. Shockman, S193189.***

**#12-02 *People v. Davis, S198061.***

**#12-13 *People v. Reese, S198269.***

**#12-50 *People v. Rivera, S200398.***

The following cases were transferred for reconsideration in light of *People v. Lopez* (2012) 55 Cal.4th 569, *People v. Dungo* (2012) 55 Cal.4th 608, *People v. Rutterschmidt* (2012) 55 Cal.4th 650, and *Williams v. Illinois* (2012) \_\_ U.S. \_\_ [132 S.Ct. 2221]:

- #09-78 *People v. Gutierrez*, S176620.**
- #10-32 *People v. Anunciacion*, S179423.**
- #10-40 *People v. Schwarz*, S180445.**
- #10-59 *People v. Benitez*, S181137.**
- #10-71 *People v. Bowman*, S182172.**
- #10-144 *People v. Davis*, S187515.**
- #12-36 *People v. Archuleta*, S199979.**
- #12-38 *People v. Alger*, S200663.**

The following case was transferred for reconsideration in light of *Harris v. City of Santa Monica* (2013) 56 Cal.4th 203:

- #13-12 *Alamo v. Practice Management Information Corp.*, S206925.**

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