



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

May 25, 2018

Summary of Cases Accepted and Related Actions During Week of May 21, 2018

[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.]

#18-73 *In re Humphrey*, S247278. (A152056; 19 Cal.App.5th 1006; San Francisco County Superior Court; 17007715.) Petition for review after the Court of Appeal granted relief on a petition for writ of habeas corpus. The court limited review to the following issues: (1) Did the Court of Appeal err in holding that principles of constitutional due process and equal protection require consideration of a criminal defendant's ability to pay in setting or reviewing the amount of monetary bail? (2) In setting the amount of monetary bail, may a trial court consider public and victim safety? Must it do so? (3) Under what circumstances does the California Constitution permit bail to be denied in noncapital cases? Included is the question of what constitutional provision governs the denial of bail in noncapital cases—article I, section 12, subdivisions (b) and (c), or article I, section 28, subdivision (f)(3), of the California Constitution—or, in the alternative, whether these provisions may be reconciled.

#18-74 *In re White*, S248125. (D073054; 21 Cal.App.5th 18; San Diego County Superior Court; SCN376029.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus. The court limited review to the following issues: (1) Under what circumstances does the California Constitution permit bail to be denied in noncapital cases? Included is the question of what constitutional provision governs the denial of bail in noncapital cases—article I, section 12, subdivisions (b) and (c), or article I, section 28, subdivision (f)(3), of the California Constitution—or, in the alternative, whether these provisions may be reconciled. (2) What standard of review applies to review of the denial of bail? (3) Did the Court of Appeal err in affirming the trial court's denial of bail?

#18-75 *People v. Crockett*, S247837. (B267614; nonpublished opinion; Los Angeles County Superior Court; SA071297.) Petition for review after the Court of Appeal

affirmed and remanded a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Mateo*, S232674 (#16-147), which presents the following issue: In order to convict an aider and abettor of attempted willful, deliberate and premeditated murder under the natural and probable consequences doctrine, must a premeditated attempt to murder have been a natural and probable consequence of the target offense? In other words, should *People v. Favor* (2012) 54 Cal.4th 868 be reconsidered in light of *Alleyne v. United States* (2013) ___ U.S. ___ [113 S.Ct. 2151] and *People v. Chiu* (2014) 59 Cal.4th 155?

#18-76 *People v. Garcia*, S247618. (F074392; nonpublished opinion; Tulare County Superior Court; VCF303585, VCF336018.) 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 *People v. Ruiz*, S235556 (#16-312), which presents the following issue: May a trial court properly impose a criminal laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)) and a drug program fee (Health & Saf. Code, § 11372.7, subd. (a)) based on a defendant's conviction for conspiracy to commit certain drug offenses?

#18-77 *People v. Henderson*, S247716. (C083153; 20 Cal.App.5th 467; Placer County Superior Court; 62144154.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Calavano*, S242474 (#17-247), which presents the following issue: Did the trial court abuse its discretion by ordering defendant to pay restitution to cover the cost of the victim's increased residential security measures, although defendant was not convicted of committing a violent felony? (See Pen. Code, § 1202.4(f)(3)(J).)

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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.