



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

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**FOR IMMEDIATE RELEASE**

July 19, 2019

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## Summary of Cases Accepted and Related Actions During Week of July 15, 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.]*

**#19-90 *People v. Propps*, S256322.** (B281522; nonpublished opinion; Los Angeles County Superior Court; NA104701.) Petition for review after the Court of Appeal conditionally reversed and remanded a judgment of conviction of a criminal offense.

**#19-91 *People v. Shaw*, S255608.** (A148318; nonpublished opinion; Alameda County Superior Court; 175413A.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of a criminal offense.

The court ordered briefing in *Propps* and *Shaw* deferred pending decision in *People v. Frahs*, S252220 (#18-175), which presents the following issues: (1) Does Penal Code section 1001.36 apply retroactively to all cases in which the judgment is not yet final? (2) Did the Court of Appeal err by remanding for a determination of defendant's eligibility under Penal Code section 1001.36?

### DISPOSITION

The following case was remanded for reconsideration in light of Senate Bill No. 1053 (Stats. 2018, ch. 153):

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| <b>#18-78 <i>Big Oak Flat-Groveland Unified School District v. Superior Court</i>, S247975.</b> | (F074265; 21 Cal.App.5th 403; Tuolumne County Superior Court; CV59658) |
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### STATUS

**#18-95 *People v. Perez*, S248730.** The court directed respondent to serve and file a supplemental letter brief clarifying its position in this case in light of its apparent

concession in other cases in which the trial predated *People v. Sanchez* (2016) 63 Cal.4th 665 that objections under the Confrontation Clause (U.S. Const., 6th Amend.) to case-specific hearsay testimony by gang experts would have been futile. (See App. Reply Brief, at p. 23, citing *People v. Perez* (Jan. 22, 2019, F073736) 2019 Cal.App. Unpub. LEXIS 461; *People v. Coronado* (Nov. 13, 2018, F072867) 2018 Cal.App. Unpub. LEXIS 7740, at \*26.) The court gave appellant permission to serve and file a reply letter brief.

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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.*