



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions During Week of July 22, 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.]

#19-92 *In re Caden C.*, S255839. (A153925, A154042; 34 Cal.App.5th 87; San Francisco County Superior Court; JD153034.) Petition for review after the Court of Appeal reversed orders in a juvenile dependency proceeding. The court limited review to the following issues: (1) What standard of review governs appellate review of the beneficial parental relationship exception to adoption? (2) Is a showing that a parent has made progress in addressing the issues that led to dependency necessary to meet the beneficial parental relationship exception?

#19-93 *People v. Superior Court (Jones)*, S255826. (D074028; 34 Cal.App.5th 75; San Diego County Superior Court; CR136371.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Does Penal Code section 1054.9 entitle an eligible defendant to discovery of a trial prosecutor's notes about jury selection with respect to a claim of *Batson/Wheeler* (*Batson v. Kentucky* (1986) 476 U.S. 79; *People v. Wheeler* (1978) 22 Cal.3d 258) error at trial?

#19-94 *People v. Bowden*, S255922. (D074356; nonpublished opinion; San Diego County Superior Court; SCD277149.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#19-95 *People v. Magana*, S256289. (B280357; nonpublished opinion; Los Angeles County Superior Court; PA083962.) Petition for review after the Court of Appeal affirmed judgments of conviction of a criminal offense.

The court ordered briefing in *Bowden* and *Magana* 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.

#19-96 *People v. Cromer, S256039.* (E069960; nonpublished opinion; San Bernardino County Superior Court; FVII502150.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

#19-97 *People v. Duran, S255992.* (D073804; nonpublished opinion; San Diego County Superior Court; SCS290869.) 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 *Cromer* and *Duran* deferred pending decision in *People v. Aledamat, S248105* (#18-87), which presents the following issue: Is error in instructing the jury on both a legally correct theory of guilt and a legally incorrect one harmless if an examination of the record permits a reviewing court to conclude beyond a reasonable doubt that the jury based its verdict on the valid theory, or is the error harmless only if the record affirmatively demonstrates that the jury actually rested its verdict on the legally correct theory?

#19-98 *People v. Quarker, S256412.* (E070332; nonpublished opinion; San Bernardino County Superior Court; FWV17004798.) Petition for review after the Court of Appeal conditionally reversed a judgment of conviction of criminal offenses.

#19-99 *People v. Zayas, S255273.* (B290897; nonpublished opinion; Los Angeles County Superior Court; MA069954.) Petition for review after the Court of Appeal conditionally reversed a judgment of conviction of criminal offenses.

The court ordered briefing in *Quarker* and *Zayas* 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?

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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.