



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

July 27, 2018

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## Summary of Cases Accepted and Related Actions During Week of July 23, 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.]*

**#18-99 *People v. Jimenez*, S249397.** (B283858; 22 Cal.App.5th 1282; Ventura County Superior Court; 2016041618.) Petition for review after the Court of Appeal affirmed an order granting a petition to recall sentence. This case presents the following issue: May a felony conviction for the unauthorized use of personal identifying information of another (Pen. Code, § 530.5, subd. (a)) be reclassified as a misdemeanor under Proposition 47 on the ground that the offense amounted to Penal Code section 459.5 shoplifting?

**#18-100 *People v. Cardenas*, S249262.** (D072269; nonpublished opinion; San Diego County Superior Court; SCD270379.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

**#18-101 *People v. Cervantes*, S248786.** (E068256; nonpublished opinion; San Bernardino County Superior Court; FWV17001239.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense.

**#18-102 *In re Juan R.*, S249256.** (A151254; 22 Cal.App.5th 1083; Marin County Superior Court; JV26402.) Petition for review after the Court of Appeal affirmed orders in a juvenile wardship proceeding.

**#18-103 *In re O.R.*, S249294.** (A149922; nonpublished opinion; Napa County Superior Court; JV18392.) Petition for review after the Court of Appeal affirmed in part and reversed in part orders in a juvenile wardship proceeding.

The court ordered briefing in *Cardenas*, *Cervantes*, *Juan R.*, and *O.R.* 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.

**#18-104 *People v. Sanders*, S248775.** (D072875; 22 Cal.App.5th 397; San Diego County Superior Court; SCE331514.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. The court ordered briefing deferred pending decision in *People v. Jimenez*, S249397 (#18-99), which presents the following issue: May a felony conviction for the unauthorized use of personal identifying information of another (Pen. Code, § 530.5, subd. (a)) be reclassified as a misdemeanor under Proposition 47 on the ground that the offense amounted to Penal Code section 459.5 shoplifting?

## DISPOSITIONS

The following cases were transferred for reconsideration in light of *People v. Ruiz* (2018) 4 Cal.5th 1100:

<b>#17-106 <i>People v. Mendoza</i>, S239436.</b>	(F070324; nonpublished opinion; Kern County Superior Court; BF149024A, BF153404A)
<b>#17-210 <i>People v. Blanco</i>, S241800.</b>	(D070069; nonpublished opinion; San Diego County Superior Court; SCD262535)
<b>#17-271 <i>People v. Alford</i>, S243340.</b>	(D070486; 12 Cal.App.5th 964; San Diego County Superior Court; SCN353122)
<b>#17-272 <i>People v. Moore</i>, S243387.</b>	(C079171; 12 Cal.App.5th 558; Nevada County Superior Court; M13000605)
<b>#17-281 <i>People v. Carter</i>, S243417.</b>	(H043251; nonpublished opinion; Santa Clara County Superior Court; C1518626)
<b>#17-293 <i>People v. Ramos</i>, S243901.</b>	(D070165; nonpublished opinion; San Diego County Superior Court; SCS278617)
<b>#17-300 <i>People v. Guizar</i>, S244224.</b>	(H042370; nonpublished opinion; Santa Clara County Superior Court; C1367023, C1371225, F1450335, 1450336)
<b>#17-314 <i>People v. Kurtz</i>, S244589.</b>	(H043729; nonpublished opinion; Santa Clara County Superior Court; 214981)
<b>#17-337 <i>People v. Day</i>, S245019.</b>	(H043843; nonpublished opinion; Santa Cruz County Superior Court; F28717, F28743)
<b>#17-345 <i>People v. Puckett</i>, S245273.</b>	(D070928; nonpublished opinion; San Diego County Superior Court; SCS282517)

<b>#17-349 <i>People v. Lopez, S245493.</i></b>	(F073918; nonpublished opinion; Tulare County Superior Court; VCF329369A)
<b>#18-09 <i>People v. Lopez, S245618.</i></b>	(F073203; nonpublished opinion; Kern County Superior Court; FCR304930)
<b>#18-10 <i>People v. Scherer, S245649.</i></b>	(E065302; nonpublished opinion; Riverside County Superior Court; RIF1406545)
<b>#18-11 <i>People v. Shackelford, S245768.</i></b>	(F072964; nonpublished opinion; Fresno County Superior Court; F14907197)
<b>#18-12 <i>People v. Underwood, S245833.</i></b>	(C082647; nonpublished opinion; Yolo County Superior Court; CRF15287, CRF15288)
<b>#18-4 <i>People v. Bueno, S246361.</i></b>	(B277399; nonpublished opinion; Los Angeles County Superior Court; MA062308)
<b>#18-60 <i>People v. Torres, S247437.</i></b>	(C083981; nonpublished opinion; El Dorado County Superior Court; S14CRF0012)
<b>#18-63 <i>People v. Walters, S247542.</i></b>	(D071505, D072135; nonpublished opinion; San Diego County Superior Court; SCN329905, SCN351956)
<b>#18-68 <i>People v. Anderson, S248208.</i></b>	(B282516; nonpublished opinion; Los Angeles County Superior Court; GA098719)

Review in the following case was dismissed in light of *People v. Ruiz* (2018) 4 Cal.5th 1100:

<b>#18-76 <i>People v. Garcia, S247618.</i></b>	(F074392; nonpublished opinion; Tulare County Superior Court; VCF303585, VCF336018)
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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.*