



NEWS RELEASE

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FOR IMMEDIATE RELEASE

August 24, 2012 (S.C. 34/12)

Summary of Cases Accepted and Related Actions for Week of August 20, 2012

The California Supreme Court has announced that it accepted no cases during the week of August 20, 2012.

DISPOSITIONS

#12-05 *Pack v. Superior Court, S197169.* Review in this case was dismissed as follows: “On January 18, 2012, we granted review of the Court of Appeal’s decision in this matter. (See Cal. Rules of Court, rule 8.500(a)(1).) The sole issue presented by that decision was whether, as mandamus petitioners Pack and Gayle argued below, City of Long Beach Ordinance No. ORD-10-0007 (Ordinance No. 10-0007), imposing a regulatory permit scheme for the lawful operation of medical marijuana collectives in the city, was preempted by the federal Controlled Substances Act (CSA). However, in their brief to this court, and by a letter from their counsel, the mandamus petitioners have now abandoned their federal preemption argument in favor of unrelated issues not raised or decided at any prior stage of this proceeding. (See Cal. Rules of Court, rule 8.500(c)(1).) In any event, after we granted review, Ordinance No. 10-0007 was repealed and replaced by City of Long Beach Ordinance No. ORD-12-0004 (Ordinance No. 12-0004), which, with minor exceptions not relevant here, imposes a complete and immediate ban on medical marijuana collectives within the city. The legal validity of Ordinance No. 10-0007 is therefore moot. The legal validity of Ordinance No. 12-0004 has not been considered at any prior stage of this proceeding, and is not ripe for review by this court. Accordingly, good cause appearing, review is dismissed. (See Cal. Rules of Court, rule 8.528(b).) All pending motions, applications, and requests in this matter are denied as moot.”

#12-60 *People v. Schoenbachler, S201241.* Review in this case was dismissed in light of *People v. Correa* (2012) 54 Cal.4th 331.

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