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NEWS RELEASE

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Summary of Cases Accepted During the Week of September 19, 2011

[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.]

#11-115 *Magness v. Superior Court*, S194928. (C066601; 196 Cal.App.4th 630; Sacramento County Superior Court; 10F04832.) Petition for review after the Court of Appeal granted a petition for peremptory writ of prohibition. This case presents the following issue: Did defendant “enter” a home for purposes of first degree burglary when he used a remote control to open the garage door, but no part of his body or any instrument entered the garage?

#11-116 *People v. Butler*, S195003. (C064170; nonpublished opinion; San Joaquin County Superior Court; SF112462A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Schmitz*, S186707 (#10-138), which presents the following issue: When conducting a vehicle search authorized by a passenger’s parole condition, can the police search any areas of the vehicle’s interior that appear reasonably accessible to the passenger?

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