



[Supreme Court of California](#)

350 McAllister Street, San Francisco, CA 94102-4797

NEWS RELEASE

Contact: [Cathal Conneely](#), 415-865-7740

FOR IMMEDIATE RELEASE

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Summary of Cases Accepted and Related Actions During Week of September 28, 2015

[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.]

#15-170 *People v. Corpening*, S228258. (D064986; nonpublished opinion; San Diego County Superior Court; SCS258343.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case presents the following issue: Did Penal Code section 654 bar the imposition of sentence for both robbery and carjacking when the two crimes were accomplished by a single act?

#15-171 *People v. Dehoyos*, S228230. (D065961; 238 Cal.App.4th 363; San Diego County Superior Court; SCD252670.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents the following issue: Does the Safe Neighborhood and Schools Act [Proposition 47] (Gen. Elec. (Nov. 4, 2014)), which made specified crimes misdemeanors rather than felonies, apply retroactively to a defendant who was sentenced before the Act's effective date but whose judgment was not final until after that date?

#15-172 *People v. Superior Court (Morales)*, S228642. (E061754; 239 Cal.App.4th 93; San Bernardino County Superior Court; FVA015456.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Did the superior court have jurisdiction to order various entities to preserve materials that might at a later date be included in a motion for post-conviction discovery under Penal Code section 1054.9?

#15-173 *People v. White*, S228049. (D060969; 237 Cal.App.4th 1087, mod. 238 Cal.App.4th 582a; San Diego County Superior Court; SCD228290.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. This case presents the following issue: Was defendant properly

convicted of both rape of an intoxicated person and rape of an unconscious person for a single act of sexual intercourse?

#15-174 *People v. Bates*, S228870. (D065983; nonpublished opinion; San Diego County Superior Court; SCD192318.) Petition for review after the Court of Appeal affirmed the denial of a petition to recall sentence.

#15-175 *People v. Williams*, S228229. (H040681; nonpublished opinion; Santa Clara County Superior Court; C9925466.) Petition for review after the Court of Appeal affirmed the denial of a petition to recall sentence.

The court ordered briefing in *Bates* and *Williams* deferred pending decision in *People v. Chaney*, S223676 (#15-13), and *People v. Valencia*, S223825 (#15-14), which present the following issue: Does the definition of “unreasonable risk of danger to public safety” (Pen. Code, § 1170.18, subd. (c)) under Proposition 47 (“the Safe Neighborhoods and Schools Act”) apply on retroactivity or other grounds to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

DISPOSITIONS

Review in the following cases, which were granted and held for *Sanchez v Valencia Holding Co., LLC* (2015) 61 Cal.4th 899, was dismissed:

- #12-67 *Mayers v. Volt Management Corp.*, S200709**
- #12-110 *Caron v. Mercedes-Benz Financial Services USA LLC*, S205263**
- #13-34 *Flores v. West Covina Auto Group, LLC*, S208716**
- #13-50 *Compton v. Superior Court*, S210261**
- #13-56 *Vasquez v. Greene Motors, Inc.*, S210439**
- #13-105 *Gonzalez v. Metro Nissan of Redlands*, S214121**
- #14-67 *Cheroti v. Harvey & Madding*, S218724**
- #14-130 *Galen v. Redfin Corp.*, S220936**
- #15-37 *Hernandez v. W.R. Thomas, Inc.*, S224451**

The following cases were transferred for reconsideration in light of *Sanchez v Valencia Holding Co., LLC* (2015) 61 Cal.4th 899:

- #12-49 *Buzenes v. Nuvell Financial Services*, S200376**
- #12-121 *Goodridge v. KDF Automotive Group, Inc.*, S206153**
- #13-42 *Natalini v. Import Motors, Inc.*, S209324**
- #13-74 *Vargas v. SAI Monorivia B, Inc.*, S212033**
- #14-73 *Gillespie v. Svale Del Grande, Inc.*, S218704**
- #15-88 *Trabert v. Consumer Portfolio Services, Inc.*, S225749**

STATUS

#14-114 *Sabia v. Orange County Metro Realty, Inc.*, S220237. In this case in which briefing was previously deferred pending further order of the court and decision in *Sanchez v Valencia Holding Co., LLC* (2015) 61 Cal.4th 899, the court ordered action deferred pending decision in *Baltazar v. Forever 21, Inc.*, S208345 (#13-31), which presents the following issue: Is an employment arbitration agreement unconscionable for lack of mutuality if it contains a clause providing that either party may seek provisional injunctive relief in the courts and the employer is more likely to seek such relief?

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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.