



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 October 15, 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.]*

**#18-140 *People v. Elwell*, S250413.** (F072024; nonpublished opinion; Kern County Superior Court; BF159154A.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing 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?

**#18-141 *People v. Garcia*, S250670.** (F073515; nonpublished opinion; Kern County Superior Court; LF010246A.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses.

**#18-142 *People v. Valencia*, S250218.** (F072943; nonpublished opinion; Kern County Superior Court; LF010246B.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses.

The court ordered briefing in *Garcia* and *Valencia* deferred pending decision in *People v. Perez*, S248730 (#18-95), which presents the following issue: Did defendant's failure to object at trial, before *People v. Sánchez* (2016) 63 Cal.4th 665 was decided, forfeit his claim that a gang expert's testimony related case-specific hearsay in violation of his Sixth Amendment right of confrontation?

**#18-143 *People v. Gonzalez*, S250607.** (H045178; nonpublished opinion; Monterey County Superior Court; 17CR000057.) 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 *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.

## DISPOSITIONS

Review in the following cases was dismissed in light of *People v. Buysks* (2018) 5 Cal.5th 857:

<b>#16-122 <i>In re Larson</i>, S232839.</b>	(D068273; nonpublished opinion; San Diego County Superior Court; SCD240603.)
<b>#16-135 <i>People v. Carrea</i>, S233011.</b>	(D068246; 244 Cal.App.4th 966; San Diego County Superior Court; SCD240790.)
<b>#16-159 <i>People v. King</i>, S233324.</b>	(D068424; nonpublished opinion; San Diego County Superior Court; SCD234016.)
<b>#16-162 <i>People v. Sotelo</i>, S233501.</b>	(A144405; nonpublished opinion; Lake County Superior Court; CR934027A.)
<b>#16-163 <i>People v. Williams</i>, S233539.</b>	(B264110; 245 Cal.App.4th 458; Los Angeles County Superior Court; MA060453.)
<b>#16-212 <i>People v. Keeney</i>, S234075.</b>	(B263283; nonpublished opinion; San Luis Obispo County Superior Court; F486996.)
<b>#16-213 <i>People v. King</i>, S234196.</b>	(C078991; nonpublished opinion; Butte County Superior Court; CM027301, CM030740, CM035962.)
<b>#16-248 <i>People v. Jones</i>, S235015.</b>	(B266551; nonpublished opinion; Los Angeles County Superior Court; MA056827.)
<b>#16-249 <i>People v. Mincks</i>, S234409.</b>	(E063345; nonpublished opinion; San Bernardino County Superior Court; FVA1201139.)
<b>#16-256 <i>In re Valencia</i>, S234952.</b>	(B267134; nonpublished opinion; Los Angeles County Superior Court; PA042197.)
<b>#16-281 <i>People v. Linneman</i>, S235166.</b>	(E064214; nonpublished opinion; San Bernardino County Superior Court; FSB901059.)

<b>#16-282 <i>People v. Walker</i>, S235529.</b>	(B265609; nonpublished opinion; Los Angeles County Superior Court; BA398731.)
<b>#16-288 <i>People v. Richards</i>, S235828.</b>	(B266479; nonpublished opinion; San Luis Obispo County Superior Court; 14C-00869.)
<b>#16-289 <i>People v. Yarberry</i>, S235765.</b>	(B265663; nonpublished opinion; Los Angeles County Superior Court; KA104323.)
<b>#16-309 <i>People v. Mumin</i>, S236180.</b>	(B263978; nonpublished opinion; Los Angeles County Superior Court; NA088660.)
<b>#16-325 <i>People v. Nichols</i>, S235636.</b>	(F071609; nonpublished opinion; Kern County Superior Court; BF132222A.)
<b>#16-348 <i>People v. Gabrielson</i>, S236703.</b>	(A143772; nonpublished opinion; Lake County Superior Court; CR932764.)
<b>#16-349 <i>People v. Hoang</i>, S236454.</b>	(B264610; nonpublished opinion; Los Angeles County Superior Court; GA080800.)
<b>#16-353 <i>People v. Segobia</i>, S237066.</b>	(E064664; nonpublished opinion; Riverside County Superior Court; RIF10001768.)
<b>#16-354 <i>People v. Shahmohamadian</i>, S236850.</b>	(B265982; nonpublished opinion; Los Angeles County Superior Court; BA369228.)
<b>#16-355 <i>People v. Shields</i>, S236730.</b>	(E063966; nonpublished opinion; San Bernardino County Superior Court; FSB031656, FSB07472, SCR41932.)
<b>#16-371 <i>People v. Sanders</i>, S237227.</b>	(E064996; nonpublished opinion; San Bernardino County Superior Court; FVI902568.)
<b>#16-372 <i>People v. Stout</i>, S237209.</b>	(C079411; nonpublished opinion; Siskiyou County Superior Court; MCYKCRBF111664.)
<b>#16-401 <i>People v. McCarty</i>, S237390.</b>	(C080791; nonpublished opinion; Sutter County Superior Court; CRF101311.)
<b>#16-448 <i>People v. Velasquez</i>, S238423.</b>	(B264142; nonpublished opinion; Los Angeles County Superior Court; BA405723.)
<b>#17-06 <i>People v. Briggs</i>, S238668.</b>	(F072120; nonpublished opinion, Fresno County Superior Court; F10901778.)
<b>#17-07 <i>In re Brown</i>, S238567.</b>	(C080301; nonpublished opinion; Yolo County Superior Court; 101437.)
<b>#17-08 <i>People v. Lout</i>, S238093.</b>	(F072214; nonpublished opinion; Kern County Superior Court; BF136097B.)

<b>#17-09 <i>People v. Pargas</i>, S238169.</b>	(B264612; nonpublished opinion; Los Angeles County Superior Court; GA091922.)
<b>#17-11 <i>People v. Scilagyi</i>, S238233.</b>	(F071468; nonpublished opinion; Tulare County Superior Court; VCF218243.) Petition
<b>#17-12 <i>People v. Taylor</i>, S238485.</b>	(F072107; nonpublished opinion; Kern County Superior Court; BF156233A.)
<b>#17-53 <i>People v. Avalos</i>, S239269.</b>	(E065166; nonpublished opinion; San Bernardino County Superior Court; FSB1304213.)
<b>#17-65 <i>People v. Dixon</i>, S239373.</b>	(B268722; nonpublished opinion; Los Angeles County Superior Court; BA331238, BA367357, BA387014, BA409103.)
<b>#17-86 <i>People v. Cooper</i>, S239928.</b>	(B269198; nonpublished opinion; Los Angeles County Superior Court; MA011494.)
<b>#17-130 <i>People v. Perea</i>, S240426.</b>	(B271624; nonpublished opinion; Los Angeles County Superior Court; KA071979.)
<b>#17-134 <i>People v. Harris</i>, S240505.</b>	(C081653; nonpublished opinion; San Joaquin County Superior Court; SC063562A, STKCRFE19980006425.)
<b>#17-151 <i>People v. Perez</i>, S240499.</b>	(E065986; nonpublished opinion; Riverside County Superior Court; RIF1207791.)
<b>#17-155 <i>People v. Velasquez</i>, S240811.</b>	(F072195; nonpublished opinion; Kern County Superior Court; BF137599A.)
<b>#17-171 <i>People v. Geray</i>, S241248.</b>	(H043338; nonpublished opinion; Santa Clara County Superior Court; CC814931.)
<b>#17-175 <i>People v. Renteria</i>, S241066.</b>	(B275606; nonpublished opinion; Los Angeles County Superior Court; KA038347.)
<b>#17-191 <i>People v. Condon</i>, S241582.</b>	(E066077; nonpublished opinion; San Bernardino County Superior Court; FWV802123.)
<b>#17-213 <i>People v. Hampton</i>, S242223.</b>	(C081875; nonpublished opinion; San Joaquin County Superior Court; SF076291B.)
<b>#17-214 <i>People v. Thornton</i>, S242377.</b>	(F071626; nonpublished opinion; Fresno County Superior Court; F14902504.)
<b>#17-215 <i>People v. Watts</i>, S242171.</b>	(C080689; nonpublished opinion; Amador County Superior Court; 15HC01740.)
<b>#17-229 <i>People v. Contreras</i>, S242621.</b>	(C081681; nonpublished opinion; San Joaquin County Superior Court; STKCRFE20130007355, SF124692.)

<b>#17-230 <i>People v. Harrell</i>, S242518.</b>	(B275532; nonpublished opinion; Los Angeles County Superior Court; BA400374-01.)
<b>#17-252 <i>People v. Taylor</i>, S242257.</b>	(B268854; nonpublished opinion; Los Angeles County Superior Court; LA049790.)
<b>#17-253 <i>People v. Vaughn</i>, S242779.</b>	(E066443; nonpublished opinion; Riverside County Superior Court; RIF129904.)
<b>#17-256 <i>People v. Hollowell</i>, S243084.</b>	(C080896; nonpublished opinion; Sacramento County Superior Court; 11F06405)
<b>#17-258 <i>People v. Vogelsang</i>, S243031.</b>	(C078855; nonpublished opinion; Placer County Superior Court; 62096408)
<b>#17-294 <i>People v. Wilburn</i>, S243870.</b>	(E065752; nonpublished opinion; Riverside County Superior Court; SWF020738)
<b>#17-341 <i>People v. Robinson</i>, S245072.</b>	(B268614; nonpublished opinion; Los Angeles County Superior Court; LA071762)
<b>#17-342 <i>People v. Rosales</i>, S245125.</b>	(D070072; nonpublished opinion; San Diego County Superior Court; SCD171537)
<b>#18-13 <i>People v. Mize</i>, S245503.</b>	(C082928; nonpublished opinion; Siskiyou County Superior Court; MCYKCRBF201112632)
<b>#18-14 <i>People v. Sims</i>, S245597.</b>	(B272466; nonpublished opinion; Los Angeles County Superior Court; NA093791)
<b>#18-20 <i>People v. Beard</i>, S245903.</b>	(F074488; nonpublished opinion; Fresno County Superior Court; F06905403)
<b>#18-45 <i>People v. McCurdy</i>, S246914.</b>	(A149471, A151358; nonpublished opinion; Napa County Superior Court; CR157198)

## STATUS

***People v. Frederickson*, S067392.** The court directed the parties to serve and file supplemental briefs addressing the following question: What significance, if any, does *McCoy v. Louisiana* (2018) 584 U.S. \_\_ [138 S.Ct. 1500] have on the issues in this case? (See also *People v. Miracle*, S140894.)

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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.*