



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

October 25, 2019

Summary of Cases Accepted and Related Actions During Week of October 21, 2019

[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.]

#19-164 *People v. Antuna*, S257744. (H042678; nonpublished opinion; Santa Clara County Superior Court; C1084548.) 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 deferred pending decision in *People v. Barton*, S255214 (#19-67), which concerns whether a defendant's waiver of the right to appeal his or her sentence as part of a plea agreement precludes a future challenge to the stipulated sentence based on a subsequent ameliorative, retroactive change in the law, and *People v. Stamps*, S255843 (#19-63), which concerns whether a certificate of probable cause is required for a defendant to challenge a negotiated sentence based on a subsequent ameliorative, retroactive change in the law.

#19-165 *People v. Barrera*, S257431. (C085232; nonpublished opinion; El Dorado County Superior Court; P15CRF0067.) 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. Gentile*, S256698 (#19-141), which presents the following issues: (1) Does the amendment to Penal Code section 188 by recently enacted Senate Bill No. 1437 eliminate second degree murder liability under the natural and probable consequences doctrine? (2) Does Senate Bill No. 1437 apply retroactively to cases not yet final on appeal? (3) Was it prejudicial error to instruct the jury in this case on natural and probable consequences as a theory of murder?

DISPOSITIONS

The following cases were transferred for reconsideration in light of *In re Ricardo P.* (2019) 7 Cal.5th 1113:

#18-94 <i>People v. Dreyfus</i>, S248606.	(D072420; nonpublished opinion; San Diego County Superior Court; SCN355947)
#18-100 <i>People v. Cardenas</i>, S249262.	(D072269; nonpublished opinion; San Diego County Superior Court; SCD270379)
#18-101 <i>People v. Cervantes</i>, S248786.	(E068256; nonpublished opinion; San Bernardino County Superior Court; FWV17001239)
#18-102 <i>In re Juan R.</i>, S249256.	(A151254; 22 Cal.App.5th 1083; Marin County Superior Court; JV26402)
#18-103 <i>In re O.R.</i>, S249294.	(A149922; nonpublished opinion; Napa County Superior Court; JV18392)
#18-110 <i>People v. Mohamed</i>, S249917.	(D072680; nonpublished opinion; San Diego County Superior Court; SCD271748)
#18-124 <i>People v. Gilbert</i>, S250388.	(E068495; nonpublished opinion; San Bernardino County Superior Court; FWV1600482)
#18-128 <i>People v. Guerrero</i>, S250592.	(A151914; nonpublished opinion; Marin County Superior Court; SC191528A)
#18-139 <i>People v. Smith</i>, S250628.	(E068320; nonpublished opinion; San Bernardino County Superior Court; 16CR070399)
#18-143 <i>People v. Gonzalez</i>, S250607.	(H045178; nonpublished opinion; Monterey County Superior Court; 17CR000057)
#18-156 <i>People v. Roberts</i>, S251708.	(C082497; nonpublished opinion; Sacramento County Superior Court; 16FE007455)
#18-157 <i>People v. Svet</i>, S251075.	(E068713; nonpublished opinion; San Bernardino County Superior Court; FVI17001275)
#18-168 <i>People v. Salinas</i>, S251690.	(F074468; nonpublished opinion; Fresno County Superior Court; F16903812)
#19-02 <i>People v. Gomez</i>, S252822.	(E068755; nonpublished opinion; San Bernardino County Superior Court; FSB17001489)

#19-12 <i>People v. Jackson</i>, S253162.	(E069751; nonpublished opinion; San Bernardino County Superior Court; FVII17003145)
#19-16 <i>In re Tommy M.</i>, S252722.	(A147813; nonpublished opinion; San Francisco County Superior Court; JW156136)
#19-20 <i>People v. Smith</i>, S252932.	(H044392; nonpublished opinion; Monterey County Superior Court; SS161119)
#19-24 <i>In re Hector V.</i>, S253645.	(F076985; nonpublished opinion; Tulare County Superior Court; JJD070960)
#19-34 <i>In re Eddie P.</i>, S254134.	(D074294; nonpublished opinion; San Diego County Superior Court; J241320)
#19-35 <i>People v. Obie</i>, S253694.	(A153952; nonpublished opinion; Lake County Superior Court; CR948996)
#19-38 <i>People v. Gordon</i>, S253934.	(E068521; nonpublished opinion; San Bernardino County Superior Court; FWV17000054)
#19-39 <i>People v. Reed</i>, S254163.	(F075285; nonpublished opinion; Tuolumne County Superior Court; CRF50066)
#19-50 <i>People v. Delano</i>, S254249.	(D073240; nonpublished opinion; San Diego County Superior Court; SCS294857)
#19-51 <i>People v. Muniz</i>, S254651.	(D074097; nonpublished opinion; San Diego County Superior Court; SCD274669)
#19-54 <i>People v. Collins</i>, S253952.	(E069430; nonpublished opinion; Riverside County Superior Court; RIF1701190, BAF1700728)
#19-65 <i>People v. Johnston</i>, S254712.	(H045905; nonpublished opinion; Santa Clara County Superior Court; C1524693, C1631413)
#19-83 <i>In re J.G.</i>, S255628.	(B287487; 33 Cal.App.5th 1084; San Luis Obispo County Superior Court; 17JV00334)
#19-95 <i>People v. Magana</i>, S256289.	(B280357; nonpublished opinion; Los Angeles County Superior Court; PA083962)
#19-110 <i>In re C.S.</i>, S256098.	(B290330; nonpublished opinion; San Luis Obispo County Superior Court; 18JV-00064A)
#19-111 <i>In re Eric B.</i>, S256810.	(A153524, A154186; nonpublished opinion; Contra Costa County Superior Court; J1701017)

#19-112 <i>People v. Pascual</i>, S256070.	(D074100; nonpublished opinion; San Diego County Superior Court; SCN377996)
#19-113 <i>In re Richard V.</i>, S256720.	(A155535; nonpublished opinion; Contra Costa County Superior Court; J1800711)
#19-114 <i>People v. Statiras</i>, S256158.	(D073891; nonpublished opinion; San Diego County Superior Court; SCD275960)
#19-129 <i>People v. Salcido</i>, S256283.	(E067578; 34 Cal.App.5th 1092; Riverside County Superior Court; INF1501474)

The following case was transferred for reconsideration in light of *Noel v. Thrifty Payless, Inc.* (2019) 7 Cal.5th 955:

#19-43 <i>Dhillon v. Anheuser-Busch, LLC</i>, S254226.	(F074952; nonpublished opinion; Fresno County Superior Court; 14CECG03039)
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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.