



JUDICIAL COUNCIL OF  
CALIFORNIA  
ADMINISTRATIVE OFFICE  
OF THE COURTS

Public Information Office  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

415-865-7740

Lynn Holton  
Public Information Officer

# NEWS RELEASE

Release Number: **S.C. 16/05**

Release Date: **April 22, 2005**

## **Summary of Cases Accepted During the Week of April 18, 2005**

[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 description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

**#05-89 *People v. Bell*, S132219.** (B171066; unpublished opinion; Los Angeles County Superior Court; NA047579.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses.

**#05-90 *People v. Patton*, S132287.** (H027044; unpublished opinion; Santa Clara County Superior Court; CC262233.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses.

**#05-91 *People v. Shaw*, S131482.** (D042877; unpublished opinion; San Diego County Superior Court; SCE224064.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of a criminal offense.

The court ordered briefing in *Bell*, *Patton*, and *Shaw* deferred pending decision in *People v. Black*, S126182 (#04-83) and *People v. Towne*, S125677 (#04-75), which include the following issues: (1) Does *Blakely v. Washington* (2004) 542 U.S. \_\_\_, 124 S.Ct. 2531, preclude a trial court from making findings on aggravating factors in support of an upper term sentence? (2) What effect does *Blakely* have on a trial court's imposition of consecutive sentences?

**#05-92 *People v. Nawi*, S131126.** (A096635; unpublished opinion; San Francisco County Superior Court; 176527.) Petition for review after the

(over)

Court of Appeal affirmed a judgment of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Wilson*, S130157 (#05-32), which presents the following issue: May a DNA expert testify to the statistical probability of a match between the perpetrator's and defendant's genetic profiles based on different racial databases if the prosecution has not first provided independent evidence of the perpetrator's race?

#