



NEWS RELEASE

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Summary of Cases Accepted During the Week of June 14, 2010

[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.]

#10-74 *In re Lucas, S181788.* (C062809; 182 Cal.App.4th 797; Placer County Superior Court; SCV23989.) Petition for review after the Court of Appeal denied a petition for writ of habeas corpus.

#10-75 *People v. Superior Court (Sharkey), S182355.* (B219011; 183 Cal.App.4th 85; Los Angeles County Superior Court; ZM014203.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate.

Lucas and *Sharkey* present the following issues: (1) What constitutes “good cause” for the imposition of a 45-day hold and extension of a scheduled parole date under Welfare and Institutions Code section 6601.3 to permit evaluation of the defendant under the Sexually Violent Predator Act? (2) Is California Code of Regulations, title 15, section 2600.1, subdivision (d), which defines the term “good cause” as used in section 6601.3 as “some evidence” that the inmate has a prior qualifying conviction and is likely to engage in predatory criminal behavior, a valid regulation? (3) Does the “good faith mistake of law or fact” exception apply in these cases?

#10-76 *People v. Nelson, S181611.* (G040151; nonpublished opinion; Orange County Superior Court; 04ZF0072.) 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:

Did the 15-year-old defendant's request to speak with his mother while he was being questioned by police constitute a request to speak with an attorney that required the officer to cease the questioning immediately?

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