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NEWS RELEASE

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Summary of Cases Accepted During the Week of September 13, 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.]

#10-106 *In re Reno*, S124660. Original proceeding. In this case, which is related to the automatic appeal in *People v. Memro* (1995) 11 Cal.4th 786, the court issued an order directing petitioner Reno, also known as Harold Ray Memro, to show cause why the petition for writ of habeas corpus filed in this case should not be considered an abuse of the writ (*In re Clark* (1993) 5 Cal.4th 750, 769-770) due to the failure to allege sufficient facts to explain why the claims are cognizable and why they are not procedurally barred.

#10-107 *People v. Vang*, S184212. (D054343, D054636; 185 Cal.App.4th 309; San Diego County Superior Court; SCD213306.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of a criminal offense. The court limited review to the following issues: (1) Did the Court of Appeal correctly find that the trial court erred in permitting the use of hypothetical questions of the prosecution expert witness? (2) If so, did the Court of Appeal correctly find the error to be harmless?

#10-108 *People v. Chung*, S184344. (B212210; 185 Cal.App.4th 247, mod. 185 Cal.App.4th 1402f; Los Angeles County Superior Court; SA064964.) 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. Troyer*, S180759 (#10-52), which presents the following issue: Did either the protective-sweep exception or the emergency-aid exception to the Fourth Amendment requirement of

a warrant permit police officers to make a forcible entry into a locked bedroom while responding to a report of a shooting with injuries at the house?

#10-109 *People v. Hubbard*, S183807. (B217739; nonpublished opinion; Los Angeles County Superior Court; ZM013438.) Petition for review after the Court of Appeal affirmed an order of commitment as a mentally disordered offender. The court ordered briefing deferred pending decision in *Lopez v. Superior Court*, S172589 (#09-37), which presents the following issue: Can a person committed as a mentally disordered offender challenge that determination at the time of a petition to extend the commitment or can the question be litigated only at the time of the original certification?

#10-110 *People v. Seastrong*, S185079. (E048552; nonpublished opinion; Riverside County Superior Court; RIF144818.) Petition for review after the Court of Appeal affirmed an order of dismissal of a criminal proceeding. The court ordered briefing deferred pending decision in *People v. Engram*, S176983 (#09-81), which includes the following issues: (1) Did the trial court err in dismissing this case for violation of defendant's statutory right to a speedy trial on the ground no criminal courtroom was available? (2) Should criminal cases facing dismissal on speedy trial grounds be given precedence over civil cases pursuant to Penal Code section 1050, subdivision (a), either as a matter of law or under the circumstances of this case?

#10-111 *Service Employees Internat. Union, Local 1000 v. Schwarzenegger*, S184629. (A126525; 186 Cal.App.4th 747; San Francisco County Superior Court; 509580.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. The court ordered briefing deferred pending decision in *California Attorneys, Administrative Law Judges and Hearing Officers in State Employment v. Schwarzenegger*, S182581 (#10-61), which presents the following issue: Does the Governor have the authority to furlough the state employees at issue in this case by executive order?

#10-112 *People v. Sitthideth*, S186346. (D054343, D054636; 185 Cal.App.4th 309; San Diego County Superior Court; SCD213306.) Petitions for review after the Court of Appeal modified and affirmed judgments of conviction of a criminal offense. The court ordered briefing deferred pending decision in *People v. Vang*, S184212 (#10-107), which presents the following issues: (1) Did the Court of Appeal correctly find that the trial court erred in permitting the use of hypothetical questions of the prosecution expert witness? (2) If so, did the Court of Appeal correctly find the error to be harmless?