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NEWS RELEASE

Release Number: **S.C. 37/09**

Release Date: **September 18, 2009**

Summary of Cases Accepted During the Week of September 14, 2009

[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.]

#09-59 *Moore v. Superior Court, S174633.* (B198550; 174 Cal.App.4th 856; Los Angeles County Superior Court; ZM008445.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents the following issue: Can the trial in a commitment proceeding under the Sexually Violent Predator Act be held while the defendant is incompetent?

#09-60 *People v. Johndrow, S175337.* (C055620; 175 Cal.App.4th 719; Shasta County Superior Court; 95F7001, 93F3391.) Petition for review after the Court of Appeal affirmed an order of commitment as a sexually violent predator. The court ordered briefing deferred pending decision in *People v. McKee, S162823* (#08-107), which presents the following issues: Does the amended Sexually Violent Predator Act violate appellant's constitutional rights to due process of law, is it an illegal ex post facto law, and does it violate equal protection?

DISPOSITIONS

Review in the following case was dismissed in light of *Azure Limited v. I-Flow Corp.* (2009) 46 Cal.4th 1323:

#09-06 *Vondjidis v. Hewlett Packard Corp., S169532.*

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