



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions During Week of February 1, 2016

*[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.]*

**#16-34 *People v. DeLeon*, S230906.** (A140050; 241 Cal.App.4th 1059; Solano County Superior Court; FCR302185.) Petition for review after the Court of Appeal affirmed an order revoking parole. This case presents the following issue: In light of the changes made to the parole revocation process in the 2011 realignment legislation (Stats. 2011, ch. 15; Stats. 2012, ch. 43), is a parolee entitled to a probable cause hearing conducted according to the procedures outlined in *Morrissey v. Brewer* (1972) 408 U.S. 471 before parole can be revoked?

**#19-35 *People v. Farwell*, S231009.** (B257775; 241 Cal.App.4th 1313; Los Angeles County Superior Court; TA130219.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case presents the following issues: (1) Does the “totality of the circumstances” test apply in determining whether a defendant knowingly and voluntarily waived his constitutional rights before stipulating to an offense, if the record indicates that the trial court did not advise the defendant or obtain his waiver of rights at the time of the stipulation? (2) Under this test, are references to a defendant’s constitutional rights during earlier stages of the proceedings and the defendant’s criminal history sufficient to support the conclusion that the defendant knowingly and voluntarily waived those rights when entering into to the stipulation?

**#16-36 *People v. Brewer*, S231082.** (B257185; nonpublished opinion; Santa Barbara County Superior Court; 1358729.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Sanchez*, S216681 (#14-47), which presents the following

issue: Was defendant's Sixth Amendment right to confrontation violated by the gang expert's reliance on testimonial hearsay (*Crawford v. Washington* (2004) 541 U.S. 36)?

**#16-37 *People v. Wood*, S230650.** (C078603; nonpublished opinion; Sacramento County Superior Court; 13F04266.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. The court ordered briefing deferred pending decision in *People v. Cuen*, S231107 (#16-22), and *People v. Romanowski*, S231405 (#16-24), which present the following issue: Does Proposition 47 ("the Safe Neighborhoods and Schools Act"), which reclassifies as a misdemeanor any grand theft involving property valued at \$950 or less (Pen. Code, § 490.2), apply to theft of access card information in violation of Penal Code section 484e, subdivision (d)?

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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.*