



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

February 20, 2015

Summary of Cases Accepted and Related Actions for Week of February 16, 2015

[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.]

#15-12 *People v. Buza*, S223698. (A125542; 231 Cal.App.4th 1446; San Francisco County Superior Court; 207818.) Petition for review after the Court of Appeal reversed a judgment of conviction of criminal offenses. This case presents the following issue: Does the compulsory collection of a biological sample from all adult felony arrestees for purposes of DNA testing (Pen. Code, §§ 296, subd. (a)(2)(C); 296.1, subd. (a)(1)(A)) violate the Fourth Amendment to the United States Constitution or article I, section 13, of the California Constitution?

#15-13 *People v. Chaney*, S223676. (C073949; 231 Cal.App.4th 1391; Amador County Superior Court; 05CR08104.) Petition for review after the Court of Appeal after the Court of Appeal affirmed an order denying a petition to recall sentence. The court limited review to the following issue: Does the definition of “unreasonable risk of danger to public safety” (Pen. Code, § 1170.18, subd. (c)) under Proposition 47 (“the Safe Neighborhoods and Schools Act”) apply retroactively to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

#15-14 *People v. Valencia*, S223825. (F067946; 232 Cal.App.4th 514; Tuolumne County Superior Court; CRF30714.) Petition for review after the Court of Appeal affirmed an order denying a petition to recall sentence. This case presents the following issue: Does the definition of “unreasonable risk of danger to public safety” (Pen. Code, § 1170.18, subd. (c)) under Proposition 47 (“the Safe Neighborhoods and Schools Act”) apply to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

DISPOSITION

The following case was transferred for reconsideration in light of *Rashidi v. Moser* (2014) 60 Cal.4th 718:

#14-137 Hughes v. Pham, S221650.

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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.