



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 June 19, 2017

*[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.]*

**#17-199 *Avitia v. Superior Court, S242030.*** (C082859; nonpublished opinion; San Joaquin County Superior Court; STKCRFE2016881, GJ20164112415.) Petition for review after the Court of Appeal denied a petition for peremptory writ of mandate. This case presents the following issue: Was defendant denied a “substantial right” (*People v. Standish* (2006) 38 Cal.4th 858, 882) by the prosecutor’s improper dismissal of a grand juror?

**#17-200 *Scholes v. Lambirth Trucking Co., S241825.*** (C070770; 10 Cal.App.5th 590; Colusa County Superior Court; CV23759.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents the following issue: Are the double damages provisions of Civil Code section 3346 applicable to negligently caused fire damage to trees?

**#17-201 *People v. Flowers, S241974.*** (B269656; nonpublished opinion; Los Angeles County Superior Court; YA053776.) 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. Chaney, S223676* (#15-13), and *People v. Valencia, S223825* (#15-14), which present 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 on retroactivity or other grounds to resentencing under the Three Strikes Reform Act of 2012 (Pen. Code, § 1170.126)?

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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.*