



**NEWS RELEASE**

Contact: [Leanne Kozak](mailto:Leanne.Kozak@courts.ca.gov), 916-263-2838

**FOR IMMEDIATE RELEASE**

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## Summary of Cases Accepted and Related Actions for Week of July 9, 2012

*[This news release is issued to inform the public about cases that the California Supreme Court has accepted, their general subject matter, and related actions. The statement of the issue or issues in each case does not necessarily reflect the view of the court or define the specific issues that will be addressed by the court.]*

**#12-80 *McWilliams v. City of Long Beach, S202037.*** (B200831; nonpublished opinion; Los Angeles County Superior Court; BC361469.) Petition for review after the Court of Appeal reversed in part and affirmed in part the judgment in a civil action. This case presents the following issue: Can a local ordinance preclude the filing of a class claim for a tax refund, or are the provisions of the Government Claims Act excepting from its reach claims brought under a “statute prescribing procedures for the refund . . . of any tax” (Gov. Code, § 905, subd. (a)) inapplicable to local ordinances?

### STATUS

**#10-87 *People v. Dowl, S182621.*** The court requested the parties to file supplemental briefs addressing: (1) whether petitioner’s failure to object at trial to Officer Williamson’s testimony precludes him from asserting on appeal that, because Officer Williamson was not qualified to opine as to the purpose of petitioner’s marijuana possession, his testimony does not constitute substantial evidence to support the verdict; and (2) whether the record, including the preliminary hearing transcript, shows that the trial court did not abuse its discretion in permitting respondent’s expert to opine at trial that defendant possessed marijuana for purpose of sales.

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