



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 September 11, 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.]

#17-269 *City and County of San Francisco v. Regents of the University of California, S242835.* (A144500; 11 Cal.App.5th 1107; San Francisco County Superior Court; CPF14513434.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. This case presents the following issue: Can a charter city require state universities that operate paid parking lots within the city to comply with an ordinance that requires parking lot operators to collect from their customers and remit to the city a tax on the fee charged for a parking space?

#17-270 *Plantier v. Ramona Municipal Water Dist., S243360.* (D069798; 12 Cal.App.5th 856; San Diego County Superior Court; 37-2014-00083195-CU-BT-CTL.) Petition for review after the Court of Appeal reversed the judgment in a civil action. This case presents the following issue: Were ratepayers seeking to challenge the water district's method of calculating wastewater service fees required to exhaust administrative remedies by participating in the public hearing required by California Constitution, Article XIII D, section 6?

#17-271 *People v. Alford, S243340.* (D070486; 12 Cal.App.5th 964; San Diego County Superior Court; SCN353122.) Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense.

#17-272 *People v. Moore, S243387.* (C079171; 12 Cal.App.5th 558; Nevada County Superior Court; M13000605.) Review on the court's own motion after the Court of Appeal affirmed a judgment of conviction of criminal offenses.

The court ordered briefing in *Alford* and *Moore* deferred pending decision in *People v. Ruiz*, S235556 (#16-312), which presents the following issue: May a trial court properly

impose a criminal laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)) and a drug program fee (Health & Saf. Code, § 11372.7, subd. (a)) based on a defendant's conviction for conspiracy to commit certain drug offenses?

#17-273 *People v. Delvillar, S243000.* (F069224; nonpublished opinion; Stanislaus County Superior Court; 1432625.) Petition for review after the Court of Appeal remanded in part and otherwise affirmed judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Mendoza, S241647* (#17-208), which presents the following issue: Are the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court applicable to cases not yet final on appeal?

#17-274 *Hart v. Darwish, S243062.* (B270513; 12 Cal.App.5th 218; Los Angeles County Superior Court; BC521721.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. The court ordered briefing deferred pending finality of *Parrish v. Latham & Watkins* (2017) 3 Cal.5th 767.

#17-275 *People v. Kappler, S243666.* (B276251; nonpublished opinion; Los Angeles County Superior Court; GA088890.) Petition for review after the Court of Appeal affirmed an order denying a post-conviction motion for resentencing. The court ordered briefing deferred pending decision in *People v. Valenzuela, S232900* (#16-97), which presents the following issue: Is a defendant eligible for resentencing on the penalty enhancement for serving a prior prison term on a felony conviction after the superior court has reclassified the underlying felony as a misdemeanor under the provisions of Proposition 47?

#17-276 *People v. Lacy, S243465.* (C082357; nonpublished opinion; Yolo County Superior Court; CRF160240.) Petition for review after the Court of Appeal affirmed in part and reversed in part a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Page, S230793* (#16-28), which presents the following issue: Does Proposition 47 ("the Safe Neighborhoods and Schools Act") apply to the offense of unlawful taking or driving a vehicle (Veh. Code, § 10851), because it is a lesser included offense of Penal Code section 487, subdivision (d), and that offense is eligible for resentencing to a misdemeanor under Penal Code sections 490.2 and 1170.18?

#17-277 *People v. Superior Court (Walker), S243072.* (D071461; 12 Cal.App.5th 687; San Diego County Superior Court; RIF1201399.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. The court ordered briefing deferred pending decision in *People v. Cervantes, S241323* (#17-162), which concerns whether juvenile offenders convicted in adult court before the effective date of Proposition 57 are entitled to a fitness hearing in juvenile court before sentencing, and

juvenile offenders convicted in adult court before the effective date of Proposition 57 entitled to a fitness hearing in juvenile court before sentencing, and *People v. Superior Court (Lara)*, S241231 (#17-165), concerns whether the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court are applicable to cases that were already filed.

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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.