

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 16, 2025
SAN FRANCISCO, CALIFORNIA**

S289305 B339670 Second Appellate District, Div. 1 **LEEPER (CHRISTINA) v.
SHIPT, INC.**

Review granted on the court's own motion

Review is ordered on the court's own motion.

The issues to be briefed and argued are limited to the following: 1.) Does every Private Attorneys General Act (Lab. Code, § 2698 et seq.) (PAGA) action necessarily include both individual and non-individual PAGA claims, regardless of whether the complaint specifically alleges individual claims? 2.) Can a plaintiff choose to bring only a non-individual PAGA action?

For the purposes of briefing and oral argument, Christina Leeper is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

Pending review, the opinion of the Court of Appeal, which is currently published at 107 Cal.App.5th 1001, may be cited, not only for its persuasive value, but also for the limited purpose of establishing the existence of a conflict in authority that would in turn allow trial courts to exercise discretion under *Auto Equity Sales, Inc. v. Superior Court* (1962) 57 Cal.2d 450, 456, to choose between sides of any such conflict. (See *Standing Order Exercising Authority Under California Rules of Court, Rule 8.1115(e)(3), Upon Grant of Review or Transfer of a Matter with an Underlying Published Court of Appeal Opinion*, Administrative Order 2021-04-21; Cal. Rules of Court, rule 8.1115(e)(3) and corresponding Comment, par. 2.)

The requests for an order directing depublication of the opinion in the above-entitled appeal are denied.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289376 **PITT (SUSAN A.) v.
METROPOLITAN TOWER
LIFE INSURANCE
COMPANY**

Request for certification granted

The request, made pursuant to California Rules of Court, rule 8.548, that this court decide a question of California law presented in a matter pending in the United States Court of Appeals for the Ninth Circuit, is granted.

For the purposes of briefing and oral argument, appellant Susan Pitt is deemed the petitioner in this court. (Cal. Rules of Court, rule 8.520(a)(6).)

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289196 G063652 Fourth Appellate District, Div. 3 **PEOPLE v. MIRANDA (JOSE LUIS)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289269 E083061 Fourth Appellate District, Div. 2 **PEOPLE v. MILLER (HAROLD WILLIAM)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289357 G063649 Fourth Appellate District, Div. 3 **PEOPLE v. McBATH (JOSEPH RAY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289428 G063633 Fourth Appellate District, Div. 3 **PEOPLE v. EWING (GRANT CHAMPION)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289455 E083170 Fourth Appellate District, Div. 2**PEOPLE v. HOLLOWAY
(ROY SYLVESTER)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289541 G063559 Fourth Appellate District, Div. 3**PEOPLE v. BRICENO
(ALBERT FRANCISCO)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289549 E082945 Fourth Appellate District, Div. 2**PEOPLE v. MARBLEY, JR.,
(MARION RICK)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289560 E082960 Fourth Appellate District, Div. 2**PEOPLE v. ARCHULETA
(RAYMOND ANTHONY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289566 H051441 Sixth Appellate District**PEOPLE v. DRUMMER
(MARCELLOUS)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Emanuel*, S280551 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289578 E082098 Fourth Appellate District, Div. 2**PEOPLE v. AGUIRRE, JR.,
(JOHNNY RAY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lopez*, S287814 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289611 G063662 Fourth Appellate District, Div. 3**PEOPLE v. FINKS (BRENDAN
DASHON)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289644 B331830 Second Appellate District, Div. 5**PEOPLE v. YOUNG
(DESTINY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Emanuel*, S280551 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289702 A168297 First Appellate District, Div. 1**COLON-PEREZ (JENNY-ASHLEY) v. SECURITY INDUSTRY SPECIALISTS, INC.**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *Hohenshelt v. S.C. (Golden State Foods Corp.)*, S284498 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289712 C100904 Third Appellate District**PEOPLE v. SCHANUTH (ARNOLD WAYNE)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Wiley*, S283326 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289740 G063644 Fourth Appellate District, Div. 3**PEOPLE v. MARTINEZ (GILBERT)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289764 G063658 Fourth Appellate District, Div. 3**PEOPLE v. FELIX (FRANK ALFRED)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289807 G063651 Fourth Appellate District, Div. 3 **PEOPLE v. GENTRY
(EDWARD RAY)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Rhodius*, S283169 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S285522 **JOHNSON (LANDON RYAN)
ON H.C.**

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause, returnable before the Riverside County Superior Court, why the petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts constituting a violation of the Racial Justice Act].) The return must be served and filed on or before May 16, 2025.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S288952 H052652 Sixth Appellate District **PAKNAD (MICHELLE) v. S.C.
(INTUITIVE SURGICAL,
INC.)**

Petition for review granted; transferred to Court of Appeal, Sixth Appellate District, with directions to issue an order to show cause

The motion to augment the record is denied, without prejudice to petitioner raising it before the Court of Appeal.

The petition for review is granted. The matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted. (Cal. Rules of Court, rule 8.528(d).) The response to the order to show cause should address the application of *People v. Superior Court (Jones)* (2021) 12 Cal.5th 348, 361-64 (“*Jones*”) and *Wellpoint Health Networks, Inc. v. Superior Court* (1997) 59 Cal.App.4th 110, 126, 128, (as cited in *Jones* at p. 364) to this matter.

Pending further order of the Court of Appeal, all proceedings in Santa Clara County Superior Court, Case No. 19CV350641, are hereby stayed.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289750 C101181 Third Appellate District

**PEOPLE v. CARTER
(DEWAYNE NORMAN)**

Petition for review granted; transferred to Court of Appeal, Third Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Patton* (2025) 17 Cal.5th 549 (Cal. Rules of Court, rule 8.528(d)).

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S289024

**PENRY (RICHARD) ON
CLEMENCY**

Letter sent to Governor with the recommendation required by article V, section 8 of the California Constitution for the Governor to grant clemency

April 16, 2025

The Honorable Gavin Newsom
Governor, State of California
State Capitol Building
Sacramento, CA 95814

Re: Richard Penry
Legal Affairs File No.: GO No. 10-23-00682
Case Number: S289024
Executive Clemency Number: 1256

Dear Governor Newsom:

On the application of Richard Penry for pardon, the court, with at least 4 judges concurring, hereby makes the recommendation required by Article V, section 8 of the California Constitution for the Governor to grant a pardon.

Sincerely,

Patricia Guerrero
Chief Justice

S279367**PORCHE (JOSEPH
LAWRENCE), IN RE**

The requests for judicial notice are granted.

The applications to seal the records in Case No. S279367 and suppress the case name are granted. (Cal. Rules of Court, rules 2.550(d), 8.46(b).) In ordering the sealing, this court makes the findings required by California Rules of Court, rules 2.550(d) and 8.46(d)(6). The clerk of this court is directed to seal the records in this case. Further, pursuant to California Rules of Court, rule 8.90, the clerk of this court is also directed to redact the case name on the docket to reflect petitioner's initials: *In re P., (J.L.) on Discipline*.

The motion to dismiss is denied.

The petition for review is denied.

S288964

B319906 Second Appellate District, Div. 1

**CALLEJA (DAISY) v.
UDEWITZ (JONATHAN)**

The request for judicial notice is granted.

The motion for leave to cite unpublished Court of Appeal decision is denied.

The petition for review is denied.

The requests for an order directing publication of the opinion are denied.

S289050

D083677 Fourth Appellate District, Div. 1

**BEALER (ANTWOINE) v.
COUNTY OF SAN DIEGO**

Petition for review denied

S289058

B316745 Second Appellate District, Div. 2

**ALLIANCE MARC & EVA
STERN MATH & SCIENCE
HIGH SCHOOL v. PUBLIC
EMPLOYMENT RELATIONS
BOARD (UNITED TEACHERS
LOS ANGELES)**

Petition for review denied

S289059

H052687 Sixth Appellate District

**ROYAL COACH TOURS,
INC. v. MILETAK (NICK)**

The petition for review is denied.

The petition for writ of supersedeas is denied.

S289061

E082173 Fourth Appellate District, Div. 2

IN RE L.L.

Petition for review denied

S289129 E081911 Fourth Appellate District, Div. 2

Petition for review denied

**RAMIREZ (DAISY) v.
COUNTY OF RIVERSIDE****S289130** A171174 First Appellate District, Div. 4

Petitioner's motion to file the unredacted petition for review under seal, filed on February 5, 2025, is denied. (See Cal. Rules of Court, rules 2.550, 2.551, and 8.46.) Petitioner must notify the Clerk of this court within 10 days if the unredacted petition for review (lodged conditionally under seal on February 3, 2025) should be filed unsealed as part of the public record. (See Cal. Rules of Court, rule 8.46(d)(7).)

The petition for review and application for stay are denied.

**NAM (UN HUI FAITH) v. S.C.
(MEDICAL BOARD OF
CALIFORNIA)****S289150** B331076 Second Appellate District, Div. 3

Petition for review & depublication request(s) denied

**CARVER (TERRY) v.
VOLKSWAGEN GROUP OF
AMERICA, INC.****S289167** A172259 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. WILLIAMS (TED
BRANDON)****S289173**

Petition for review denied

**WELCH-WOODS, GLADYS
GELENE - DECEDENT****S289175** E082349 Fourth Appellate District, Div. 2

Petition for review denied

Liu and Evans, JJ., are of the opinion the petition should be granted.

**PEOPLE v. BASS (QUINN
SHINDA)****S289185** H051608 Sixth Appellate District**IN RE S.B.**

Petition for review denied

S289188 H051701 Sixth Appellate District

Petition for review denied

**PEOPLE v. TAPIA
(HERIBERTO SANDOVAL)**

S289191

**SINGH (RAGHVENDRA) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(CITY OF ELK GROVE)**

The petition for writ of mandate is denied.

S289200 B330404 Second Appellate District, Div. 5

Petition for review & publication request(s) denied

**HERNANDEZ (FERNANDO)
v. ALVAREZ (GEORGE)**

S289209

**YACOUB (ANNETTA) v.
DAWOUD (FREDDY)**

Petition for review denied

S289242 D082588 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied

**GREENER (JACK) v. M.
PHELPS, INC.**

S289245

**HAMILTON (GEORGE) v.
DEPARTMENT OF
GENERAL SERVICES,
GOVERNMENT CLAIMS
PROGRAM (OGLE)**

The petition for writ of mandate is denied.

S289253 A172332 First Appellate District, Div. 2

Petition for review denied

**ALEXANDER (OLGA
CRISTINA) v. S.C.
(ALEXANDER)**

S289285 A167637 First Appellate District, Div. 4

Petition for review denied

**REESE (JEANIE) v. SELECT
PORTFOLIO SERVICING,
INC.**

S289399 B334048 Second Appellate District, Div. 2

Petition for review & publication request(s) denied

**SATTLEY (JOSH) v. CITY OF
BEVERLY HILLS**

S289410 D083151 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GATES
(WILLIAM CHARLES)**

S289434 G065046 Fourth Appellate District, Div. 3

Petition for review denied

**D’ALESSANDRO
(SALVATORE) v. S.C.
(PASSALAQUA)**

S289442 F084644 Fifth Appellate District

Petition for review denied

**PEOPLE v. GUTIERREZ
(DANIEL)**

S289450 D083304 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. LOBATO (JESSE)

S289453 E082736 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. TOWNER
(WILLIAM RAY SPIVEY)**

S289458 D083071 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LOPEZ (CARLOS
ALBERTO)**

S289472 B337799 Second Appellate District, Div. 1

Petition for review denied

**TENG (MI PING) v.
JPMORGAN CHASE BANK,
N.A.**

S289491 G062618 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HOLMES
(LESHANE JEROME)**

S289494 C101277 Third Appellate District

Petition for review denied

**TARPIN (SHARIF) v.
CONERLY (CARINA)**

S289506 B330784 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CAMPOS
(DANNY)**

S289507 C100472 Third Appellate District

Petition for review denied

**PEOPLE v. LARSON
(ROBERT DEAN)**

S289510 C099650 Third Appellate District

Petition for review denied

**PEOPLE v. CAMPAZ, JR.,
(CARLOS TOMAS)**

S289521 B343428 Second Appellate District, Div. 1

Petition for review denied

LAPONTE (JOHN) ON H.C.

S289536

**ALEGRIA (JUAN) v.
WORKERS'
COMPENSATION APPEALS
BOARD (PAK'S CABINETS)**

The petition for writ of mandate is denied.
Corrigan, J., was recused and did not participate.

S289550 F087698 Fifth Appellate District

**PEOPLE v. MORFIN
(ARTURO)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

S289551 B332863 Second Appellate District, Div. 4
Petition for review denied

PEOPLE v. OM (MORRIS)

S289554 B330083 Second Appellate District, Div. 8
Petition for review denied

PEOPLE v. CRUZ (RICARDO)

S289555 B335887 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. MORALES
(VIDAL VARGAS)**

S289556 B332913 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. VILLALOBOS
(MARCOS)**

S289558 D082372 Fourth Appellate District, Div. 1
Petition for review denied

**VILLALVA (MARK) v.
BOMBARDIER MASS
TRANSIT CORPORATION**

S289565 B330995/B333974 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. HAMILTON
(CHRISTOPHER KENJI)**

S289568 E081487 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. MACIAS
(MARTIN ROJAS)**

S289571 F087464 Fifth Appellate District
Petition for review denied

**PEOPLE v. TRUJILLO (JOSE
ANDRES PINEDA)**

S289574 C098009 Third Appellate District

Petition for review denied

S289575

Petition for writ of review & application for stay denied

S289576 D084306 Fourth Appellate District, Div. 1

Petition for review denied

S289577 E081827 Fourth Appellate District, Div. 2

Petition for review denied

S289580 F086385 Fifth Appellate District

Petition for review denied

S289582 B334415 Second Appellate District, Div. 1

Petition for review denied

Liu and Evans, JJ., are of the opinion the petition should be granted.

S289588 G064123 Fourth Appellate District, Div. 3

Petition for review denied

S289590 F084690 Fifth Appellate District

Petition for review denied

**ASSOCIATED GENERAL
CONTRACTORS OF
CALIFORNIA, INC. v.
DEPARTMENT OF
INDUSTRIAL RELATIONS**

**HAYES (LAWRENCE P.) v.
S.C. (PEOPLE)**

**PEOPLE v. HERNANDEZ
(JOSE FELICIANO)**

**PEOPLE v. ADAMS
(DENETRIC LEROY)**

**PEOPLE v. LARA (PATRICK
ABENICIO)**

**PEOPLE v. NELSON (SERGIO
DUJUAN)**

**PEOPLE v. CHAROWHAS
(MARK LEE)**

**PEOPLE v. CRUZ (ALVARO
ELVIRA)**

S289594 B344013 Second Appellate District, Div. 1

The request for judicial notice is granted.
The petition for review is denied.

**ORTEGA (STEVEN C.) v. S.C.
(PEOPLE)**

S289603 B333270 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. GONZALEZ
(ARTURO)**

S289604 B331767 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. QUIROZ
(ALEJANDRO CESAR)**

S289606 B333813 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CARTER (ERIC
TYRONE)**

S289607

Petition for review & application for stay denied

**PERRY (MICHAEL MOSHE)
v. S.C.**

S289608 B332542 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. KNESS (ALLEN
REED)**

S289612 B337230 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GREENWOOD
(LEWIS)**

S289613 H046931 Sixth Appellate District

Petition for review denied

**PEOPLE v. STEWARD
(AARON LAMONT)**

S289635 B328655 Second Appellate District, Div. 8

Petitions for review denied

**PEOPLE v. LIMON (GLORIA
FELIZ MARIE)**

S289636 B336664 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. McDERMOTT
(ROHAN)**

S289637 E083680 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. LOPEZ (STEVEN)

S289638 G064319 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. TOWNES (BENNY
EUGENE)**

S289641

Petition for writ of certiorari denied

**NISSANOFF (JONATHAN) v.
APPELLATE DIVISION
(UNITED HEALTHCARE
INSURANCE COMPANY)**

S289643 H050678 Sixth Appellate District

Petition for review denied

PEOPLE v. HARO (JACOB)

S289647 F086444 Fifth Appellate District

Petition for review denied

**PEOPLE v. RAMOS
(GERARDO CEJA)**

S289654 H052836 Sixth Appellate District

Petition for review denied

**HERNANDEZ SANTOS
(RENE AARON) v. S.C.
(PEOPLE)**

S289656 G063266 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MENDOZA
(ELPIDIO)**

S289657 H051842 Sixth Appellate District

Petition for review denied

IN RE A.S.

S289658 F089329 Fifth Appellate District
Petition for review denied

PEOPLE v. S.C. (CARROLL)

S289659 B331219 Second Appellate District, Div. 4
Petition for review denied

**PICH (HEATHER) v.
LASERAWAY, LLC**

S289662 H052837 Sixth Appellate District

Petition for review denied

**HERNANDEZ (RENE
TRIGUEROS) v. S.C.
(PEOPLE)**

S289670 D085575 Fourth Appellate District, Div. 1
Petition for review denied

**LAWRIE (MATTHEW) ON
H.C.**

S289671 F086506 Fifth Appellate District
Petition for review denied

**PEOPLE v. PACHECO
(OCTAVIO MEJIA)**

S289673 G063302 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. HERNANDEZ
(JERRY)**

S289675 G065115 Fourth Appellate District, Div. 3
Petition for review denied

**SANTIAGO (CARLOS JUAN)
v. S.C. (PEOPLE)**

S289677 A172261 First Appellate District, Div. 3
Petition for review denied

**PEOPLE v. JIMENEZ
(CHRISTIAN ISAIAH)**

S289678 B324271 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. PINTO (ADRIAN
OSWALD)**

S289679 F086981 Fifth Appellate District

Petition for review denied

PEOPLE v. SANCHEZ (HUGO NOE)

S289682 E082656 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. MINJAREZ (PAUL)

S289683 B331308 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. SPENCER (VICTOR)

S289686 C102859 Third Appellate District

Petition for review denied

NEELY (WILLIAM S.) v. S.C. (PEOPLE)

S289693 A171633 First Appellate District, Div. 3

Petition for review denied

KAAR (SYLVESTER S.) v. SELECT PORTFOLIO SERVICING, INC.

S289704 B332987 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. DENNIS (NATHANIEL DONIEL)

S289713 B332949 Second Appellate District, Div. 5

Petition for review denied

PEOPLE v. ARRIAGA (MARIO FRANKIE)

S289714 E082651 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. HURLEY (TAJH ABRAHAM)

S289716	D085577 Fourth Appellate District, Div. 1	LICHTMAN (VALERIE) v. S.C. (THE CITY OF CARLSBAD)
Petition for review denied		
S289717	C099916 Third Appellate District	PEOPLE v. TRAYLOR (MELVIN)
Petition for review denied		
S289719	C098631 Third Appellate District	PEOPLE v. CORNEJO (OTONIEL)
Petition for review denied		
Liu, J., is of the opinion the petition should be granted.		
S289720	A172283 First Appellate District, Div. 3	DOORDASH, INC. v. S.C. (PEOPLE)
Petition for review denied		
S289723	B334072 Second Appellate District, Div. 5	PEOPLE v. ORTEGA (CESAR)
Petition for review denied		
S289725	B335444 Second Appellate District, Div. 7	PEOPLE v. DEBATO (HANEZE L.)
Petition for review denied		
S289726	B333436 Second Appellate District, Div. 1	PEOPLE v. PETTAWAY (UNDRAE)
Petition for review denied		
S289728	A167186 First Appellate District, Div. 4	PEOPLE v. ROSBERG (AARON)
Petition for review denied		

S289730 A169158 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. EVENSEN
(RICHARD PATRICK)**

S289731 A168490 First Appellate District, Div. 5

Petition for review denied

E. (ELLEN) v. C. (PAUL)

S289733 A168626 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CARRILLO
(FERNANDO)**

S289743 B335449 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. PASA (LEFULEFU
KAIO)**

S289745 B336084 Second Appellate District, Div. 1

Petition for review denied

IN RE C.L.

S289754 C099468 Third Appellate District

Petition for review denied

**PEOPLE v. GRAYSON
(MICHAEL ANTHONY)**

S289755 A168929 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. REYNOSO-
LOZANO (SERGIO)**

S289772 B328409 Second Appellate District, Div. 8

Petition for review denied

**SCHILL (GREGORY P.) v.
PERERA (LIONEL
MAHINDA)**

S289776 C103158 Third Appellate District

Petition for review denied

**COLE (JEFFREY MARK) v.
S.C. (PEOPLE)**

S289779 A170300 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CHARLES
(FRANK)**

S289783 G063160 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. JORDAN
(RONALD)**

S289784 F089330 Fifth Appellate District

Petition for review denied

**JESKE (MARCUS ALLEN)
ON H.C.**

S289803 A169380 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ACOSTA
(ALBERTO VINCENT)**

S289804 E082657 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MARTINEZ
(RICHARD)**

S289809 A172611 First Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which petitioner might be entitled after this court decides *In re Kowalczyk*, S277910.

**WINFREY (DANGELO) ON
H.C.**

S289810 G063475 Fourth Appellate District, Div. 3

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Kopp*, S257844.

**PEOPLE v. IBARRA
(FERNANDO RIOS)**

S289828 H052457 Sixth Appellate District

Petition for review denied

**LIN (SHIXI) v. S.C.
(NORTHEAST SECURITIES
CO., LTD.)**

S289953 H052994 Sixth Appellate District

**QUE (WENBIN) v. S.C.
(NORTHEAST SECURITIES
CO., LTD.)**

Petition for review & application for stay denied

S290058

**MITCHELL (FREDERICK) v.
CHAWLA (MANJARI)**

The petition for writ of mandate and application for stay are denied.

S290088

**GOLDSTEIN (FRED) v. S.C.
(DRISKELL)**

The petition for writ of mandate and application for stay are denied.

S290110 E079240/E082476 Fourth Appellate District, Div. 2 **DE LIGHT (LAURA & JOHN),
MARRIAGE OF**

Petition for review & application for stay denied

S290163 A170614 First Appellate District, Div. 4

**MALIK (SHAZIA) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

Petition for review & application for stay denied

S280953

**MANJIKIAN (ZAREH) ON
H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner alleges that prosecutor's closing statements were "an implicit appeal to biases, stereotypes, and coded language playing on a trope that Armenians were not peaceful and non-violent like white people from Western Europe."

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) As to petitioner's claims based on allegedly racially discriminatory language, the allegations of the petition do not support the conclusion that the language cited by petitioner is racially discriminatory or that it reflects racial bias or animus. (Id., § 745, subd. (a)(1)-(2).)

The petition for writ of habeas corpus is denied.

Liu, J., is of the opinion an order to show cause should be issued.

S281275**JOLIVETTE (PAUL
PATRICK) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner claims he was charged and sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, and national origins in Solano County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that support a claim that petitioner was charged, convicted, or sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(3)-(4).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S284839**PHILLIPS, JR., (ERIC
JEROME) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner claims that because he is African American, the superior court imposed unaffordable bail and denied him his rights to a speedy trial and self-representation, his trial counsel and court-appointed mental health experts uttered “racial threats,” and jail officials harmed him. He further contends the Riverside County District Attorney has engaged in a practice of systematically charging African American defendants more severely than similarly situated defendants of other races, ethnicities, or national origins.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, §§ 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” at this time. (Pen. Code, § 1473, subd. (e).) The petitioner fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias or that establish petitioner was charged in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (Id., § 745, subds. (a)(1)-(3).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S285127

**PHILLIPS, JR., (ERIC
JEROME) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner claims that because he is African American, the superior court imposed unaffordable bail and denied him his right to self-representation, his trial counsel uttered “racial threats,” and court-appointed mental health experts made racially biased statements and physically harmed him. He further contends the Riverside County District Attorney has engaged in a practice of systematically charging African American defendants more severely than similarly situated defendants of other races, ethnicities, or national origins.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, §§ 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” at this time. (Pen. Code, § 1473, subd. (e).) The petitioner fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias or that establish petitioner was charged in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins.

(*Id.*, § 745, subds. (a)(1)-(3).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S285216**SUAREZ (JOSE ALFREDO)
ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 and seeks the appointment of counsel. (Pen. Code, § 745.) In this respect, petitioner alleges that trial counsel's use of non-verbal cues exhibited bias towards him because of his race.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petitioner fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias. (*Id.*, § 745, subd. (a)(1), (2); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner describe or attach supporting documentary evidence concerning these claims. (Cf. *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The request for counsel is denied. The petition for writ of habeas corpus is denied.

S285783**WILLIAMS (CHARMAR) ON
H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S285872**PHILLIPS, JR., (ERIC
JEROME) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745) and requests the appointment of counsel. In this respect, petitioner claims that because he is African American the superior court imposed unaffordable bail and has not done so for similarly situated inmates of other races, ethnicities, or national origins. He further contends the Riverside County District Attorney has engaged in a practice of systematically charging African American defendants more severely than similarly situated defendants of other races, ethnicities, or national origins. Finally, he contends the Riverside County Jail maintains inhumane living conditions for African American and Latino inmates.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, §§ 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias or that establish petitioner was charged in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (Id., § 745, subds. (a)(1), (a)(3).) Nor does petitioner describe or attach relevant supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S286422**BROWN (DURRELL
ANTOINE) ON H.C.**

Petition for writ of habeas corpus denied

S287337**HOUT (BORAN) ON H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that the Racial Justice Act sought to eliminate racial bias from the state's criminal justice system and that he should be granted appointment of counsel.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The request for counsel is denied.

Petitioner "has not established a prima facie showing of entitlement to relief" under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petitioner fails to allege particularized facts that support his claims based on alleged exhibitions of racial bias. (*Id.*, § 745, subd. (a)(1), (2); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner describe or attach supporting documentary evidence concerning these claims. (Cf. *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

S287426**SMITH (PATRICK
MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendant who share petitioner's race, ethnicity, or national origin than on others in Monterey County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The request for counsel is denied.

Petitioner "has not established a prima facie showing of entitlement to relief" under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that petitioner was sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(4).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a

petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S287485**PAYNE (RANDY LYNN) ON
H.C.**

Petition for writ of habeas corpus denied

Groban and Evans, JJ., are of the opinion an order to show caused should be issued.

S287572**THOMAS (RAYSHON) ON
H.C.**

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner claims he was racially profiled by the prosecutor, charged on the basis of race, and denied bail and release on his own recognizance by the trial judge because of racial bias. He further contends racial animus led to the denial of his request for transcripts and to an improper redaction of those transcripts.

The petition fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that adequately describe any alleged actions by the prosecutor or the trial judge or how those entities specifically exhibited racial bias or animus in the handling of petitioner’s arrest or bail hearing. (Pen. Code, § 745, subd. (a)(1)-(4); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner describe or attach supporting documentary evidence concerning racial bias or animus, such as police reports, the charging documents, or transcripts of pretrial or trial proceedings. (Cf. *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

S287573**GAONA GARDNER (JUAN
JESUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S287784**SARMIENTO (JOSE ELIAS)
ON H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations].)

S287858**WASHINGTON (RODERICK
NATHANIEL) ON H.C.**

Petition for writ of habeas corpus denied

S287860**RIVERA (MICHAEL
ALEXANDER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].) Individual claims are denied, as applicable. (See *In re Seaton* (2004) 34 Cal.4th 193, 200 [courts will not entertain habeas corpus claims that could have been, but were not, raised at trial]; *In re Lessard* (1965) 62 Cal.2d 497, 503 [courts will not entertain habeas corpus claims that raise Fourth Amendment violations]; *In re Dixon* (1953) 41 Cal.2d 756, 759 [courts will not entertain habeas corpus claims that could have been, but were not, raised on appeal]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S287875**SMITH (PATRICK
MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that he was charged or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated, that prosecutors in Monterey County more frequently sought or obtained convictions for more serious offenses against people who share his race, ethnicity, or national origin and that he received a longer or more severe sentence compared to similarly situated individuals convicted of the same offense and longer or more severe sentences were more frequently imposed for the same offense on defendant who share petitioner's race, ethnicity, or national origin than on others in Monterey County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that petitioner was charged, convicted, or sentenced in a more severe manner than similarly situated individuals of other races, ethnicities, or national origins. (*Id.*, § 745, subd. (a)(3)-(4).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S288002**PRADO (RUBEN
BALDEMAR) ON H.C.**

Petition for writ of habeas corpus denied

S288019**KHA (TUE THANH TRI) ON
H.C.**

Petition for writ of habeas corpus denied

S288033**VILLALPANDO (MACARIO)
ON H.C.**

Petition for writ of habeas corpus denied

S288037**WAXLAX (CHARLES
KENNETH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

S288138**RUIZ (JASON ROBERT) ON
H.C.**

Petition for writ of habeas corpus denied

S288190**HOUT (BORAN) ON H.C.**

Petition for writ of habeas corpus denied

The petition for writ of habeas corpus has been read and considered. Petitioner contends that he is entitled to relief under the Racial Justice Act of 2020. (Pen. Code, § 745.) In this respect, petitioner alleges that he was charged or convicted of a more serious offense than defendants of other races, ethnicities, or national origins who have engaged in similar conduct and are similarly situated, that prosecutors in Los Angeles County more frequently sought or obtained convictions for more serious offenses against people who share his race, ethnicity, or national origin and that he received a longer or more severe sentence due to the race of one of the victims than other similarly situated defendants in cases with victims of a different race, ethnicity, or national origin in Los Angeles County.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].) The request for counsel is denied.

Petitioner “has not established a prima facie showing of entitlement to relief” under the Racial Justice Act at this time. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts or provide any supporting evidence that support a claim that petitioner was charged, convicted, or sentenced in a more severe manner than similarly situated individuals in cases with victims of a different race, ethnicity, or national origin. (*Id.*, § 745, subd. (a)(3)-(4).) Nor does petitioner describe or attach supporting documentary evidence concerning these claims.

Petitioner also seeks disclosure of discovery under the Racial Justice Act to obtain evidence supporting his claims. (See Pen. Code, §§ 745, subd. (d), 1473, subd. (e).) We granted review in *In re Montgomery*, S287339 (*Montgomery*) to consider issues related to discovery requests under the Racial Justice Act. Because our resolution of the issues presented in *Montgomery* may affect the availability of discovery under the Racial Justice Act, which may in turn affect the ability of a petitioner to plead claims under that statute, the petition for writ of habeas corpus and discovery request are denied without prejudice to any relief to which petitioner might be entitled after this court decides *Montgomery*. (See Pen. Code, § 1473, subd. (e) [“A petition raising a claim [under the Racial Justice Act] on the basis of new discovery provided by the state or other new evidence that could not have been previously known by the petitioner with due diligence, shall not be deemed a successive or abusive petition”].)

S288191**WASHINGTON (RODERICK
NATHANIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780 [courts will not entertain habeas corpus claims that are untimely]; *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive]; *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S288346**SINGH (HARMANPREET) ON
H.C.**

The petition for writ of habeas corpus is denied. Individual claims are denied, as applicable. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity]; *In re Miller* (1941) 17 Cal.2d 734, 735 [courts will not entertain habeas corpus claims that are repetitive].)

S288927**CUELLAR (TRAVIS JUSTIN)
ON H.C.**

Petition for writ of habeas corpus denied

S289341**TAYLOR (MATTHEW
SCOTT) v. S.C. (PEOPLE)**

The petition for writ of mandate is construed as a petition for writ of habeas corpus.

The petition for writ of habeas corpus has been read and considered. Petitioner contends, among other claims, that he is entitled to relief under the Racial Justice Act of 2020 (Pen. Code, § 745). In this respect, petitioner claims the superior court erred by failing to consider his Racial Justice Act claims with his petition for recall and resentencing pursuant to Penal Code section 1172.6 and that the superior court's denial of the Racial Justice Act claim was motivated by bias and discrimination.

The petition does not satisfy the statutory requirements for the appointment of counsel under the Racial Justice Act. (Pen. Code, § 1473, subd. (e) [providing for the appointment of counsel for an indigent petitioner who alleges facts that would establish a violation of the Racial Justice Act].)

The petition also fails to make a prima facie showing of entitlement to relief under the Racial Justice Act. (Pen. Code, § 1473, subd. (e).) The petition fails to allege particularized facts that adequately describe any alleged actions and how they reflected racial bias or animus. (Pen. Code, § 745, subd. (a)(1); cf. *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].) Nor does petitioner describe or attach supporting documentary evidence concerning racial bias or animus or the use of racially discriminatory language. (Cf. *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence].)

The petition for writ of habeas corpus is denied.

S289397**MACKLIN (EDWARD) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474 [a petition for writ of habeas corpus must include copies of reasonably available documentary evidence]; *In re Swain* (1949) 34 Cal.2d 300, 304 [a petition for writ of habeas corpus must allege sufficient facts with particularity].)

S289785**WAXLAX (CHARLES
KENNETH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 [courts will not entertain habeas corpus claims that are successive].)

S289957**WILLIAMS (G. GREGORY)
ON H.C.**

The petition for writ of habeas corpus or other appropriate relief and application for stay are denied.

S289163

B327598 Second Appellate District, Div. 1

**LOPEZ (VIVEANA) v.
COUNTY OF LOS ANGELES**

Publication request denied (case closed)

S289169

G064303 Fourth Appellate District, Div. 3

IN RE A.H.

The time for granting or denying review in the above-entitled matter is hereby extended to May 29, 2025.

S289537

H050893 Sixth Appellate District

**PEOPLE v. CARRILLO
(URIEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 29, 2025.

S239552**PEOPLE v. WASHINGTON
(DARNELL KEITH)**

Extension of time granted

On application of appellant, it is ordered that the time to serve and file appellant's opening brief is extended to June 20, 2025.

S286520

B328333 Second Appellate District, Div. 1

**PEOPLE v. ALLEN (DAVID
LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 16, 2025. No further extensions are contemplated.

S287261 A169465 First Appellate District, Div. 4

**MAYOR (JOSEPH) v.
WORKERS'
COMPENSATION APPEALS
BOARD & ROSS VALLEY
SANITATION DISTRICT**

Extension of time granted

On application of amicus curiae, American Property Casualty Insurance Association, and good cause appearing, it is ordered that the time to serve and file the amicus curiae brief is extended to June 2, 2025.

S052210

**PEOPLE v. RODRIGUEZ
(JERRY)**

Order filed

This court's June 21, 2023 order granting appellant's application for an order staying the automatic appeal is modified as follows.

On the court's own motion, the limited stay under the court's prior order is extended to permit further proceedings, including appeal, related to the superior court's denial of appellant's petition for resentencing under Penal Code section 1172.6. (See *People v. Rodriguez* (app. received Sept. 10, 2024, F088607).)

Appellant's obligation to file monthly status updates is vacated. Appellant shall serve and file status updates with this court regarding the status of the Penal Code section 1172.6 proceedings no later than every 90 days. The first such report is due no later than July 15, 2025.

Notwithstanding this schedule, appellant shall promptly serve and file with this court notification of when the Court of Appeal: (1) appoints counsel; and (2) disposes his appeal.

If appellant contends any changes in the law (including any ameliorative statute) since the filing of his supplemental reply brief are relevant to this appeal, excluding any relief permitted by Penal Code section 1172.6, appellant shall serve and file a second supplemental opening brief not to exceed 50 pages on or before June 4, 2025, addressing those changes and their relevance to this case. Within 30 days after any second supplemental opening brief has been filed pursuant to this order, the People may serve and file a second supplemental answering brief, not to exceed 50 pages in length. Appellant may thereafter serve and file a reply, not to exceed 25 pages in length, within 20 days after the People have filed their second supplemental answering brief.

Other than the reporting and briefing obligations set forth above, proceedings in this appeal, including oral argument, remain stayed pending further order of this court.

S289329**HAZLE (DECOY A.) v. S.C.
(PEOPLE)**

Motion to file document under seal denied

Defendant's application to file the unredacted petition for writ of certiorari under seal is denied. (Cal. Rules of Court, rules 2.550(d), 8.46(d)(6).) The clerk of this court is directed to return the unredacted petition for writ of certiorari lodged conditionally under seal to defendant, unless defendant notifies the clerk in writing within 30 days after the date of this order that the lodged petition for writ of certiorari is to be filed as part of the public record. (See Cal. Rules of Court, rule 8.46(d)(7).)

S289536**ALEGRIA (JUAN) v.
WORKERS'
COMPENSATION APPEALS
BOARD (PAK'S CABINETS)**

Order filed

Petitioners' request for permission to file an amended petition for writ of mandate is hereby denied.



**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO SESSION
MAY 6 AND 7, 2025**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald M. George State Office Complex, Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on May 6 and 7, 2025. The public may attend in person and also have access to argument via live-streaming on the judicial branch website: <https://supreme.courts.ca.gov/>.

TUESDAY, MAY 6, 2025 — 9:00 A.M.

- (1) In re Ja.O. et al., S280572
- (2) EpicentRx, Inc. et al. v. Superior Court of San Diego County (EpiRx, L.P., Real Party in Interest), S282521
- (3) Taking Offense v. State of California, S270535

1:30 P.M.

- (4) People v. Choyce (William Jennings), [Automatic Appeal], S169090

WEDNESDAY, MAY 7, 2025 — 9:00 A.M.

- (5) People v. Faial (Jerry Anthony), S273840
- (6) People v. Dain (Yacob), S283924
- (7) People v. Dunn (Aaron Norman), [Automatic Appeal], S184521

1:30 P.M.

- (8) People v. Bankston (Anthony George), [Automatic Appeal], S044739

GUERRERO
Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)