SUPREME COURT CALENDAR
SACRAMENTO SESSION
MARCH 5, 1997

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Library and Courts Building, Sacramento, California, on March 5, 1997.

WEDNESDAY, MARCH 5, 1997 - 9:00 A.M.

(1)	S053937	*People v. Helms*
(2)	S055638	*Christian v. Workers' Compensation Appeals Board*
(3)	S055184	*People v. Tello*

2:00 P.M.

(4)	S042591	*Professional Engineers v. Department of Transportation*
(5)	S051825	*Asgari v. City of Los Angeles*
	S016076	*People v. John Lee Holt* (Automatic Appeal)

THIS SCHEDULE MAY BE AMENDED. FOR THE FINAL SCHEDULE, PLEASE CALL THE SUPREME COURT CLERK'S OFFICE AT (415) 396-9400.

RONALD M. GEORGE
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with California Rules of Court, rule 10(d).

WEDNESDAY, MARCH 5, 1997 - 9:00 A.M.

(1) #96-123 *People v. Helms*, S053937. (A071204; 44 Cal.App.4th 1584.) Petition for review after the Court of Appeal modified and affirmed a judgment entered upon revocation of probation in a criminal case. This case concerns whether application of the mandatory consecutive sentencing provisions of the three-strikes law violates the proscriptions on ex post facto laws when applied to a revocation of probation, granted for a crime which predated the three-strikes law, because of post-three-strikes law conduct which also resulted in a new conviction and sentence. This is related to an issue already before the court in *People v. Rosbury & McMillan*, S053191. (See #96-84.)

(2) #96-141 *Christian v. Workers' Comp. Appeals Bd.*, S055638. (B095182; 47 Cal.App.4th 351.) Petition for review after the Court of Appeal annulled a decision of the board. This case concerns whether an insurer's successive failures to make timely disability payments amount to multiple acts of misconduct for purposes of assessing penalties. (Lab. Code, § 5814.)

(3) #96-140 *People v. Tello*, S055184. (G018156.) Unpublished opinion. Petition for review after the Court of Appeal reversed a judgment of conviction of a criminal offense. This case is concerned with whether it can be determined on direct appeal that trial counsel's failure to make a motion to suppress evidence amounted to ineffective assistance.

2:00 P.M.

(4) #96-87 *Professional Engineers v. Department of Transportation*, S042591. (C018317; 43 Cal.App.4th 894.) Petitions for review after the Court of Appeal

reversed the denial of a motion to dissolve an injunction. The case presents issues concerning the legality of a statute permitting a state agency to contract out work traditionally performed by civil service employees. (Gov. Code, §§ 14101, 14130 et seq.; see Cal. Const., art VII, § 1.)

(5) #96-54 *Asgari v. City of Los Angeles*, S051825. (G013642.) Unpublished opinion. Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents issues concerning the scope of the immunity provided by Government Code section 821.6 in an action for damages from false arrest and the seizure of assets pursuant to a warrant for purposes of forfeiture.

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