

SUPREME COURT OF CALIFORNIA

People v. Patton

People v. Patton · No. S279670 · Decided March 3, 2025

SUMMARY

The California Supreme Court addresses the prima facie showing required for resentencing under Penal Code section 1172.6. It holds that a petitioner who offers only conclusory, checkbox allegations may fail to establish a prima facie case when the record of conviction, including an unchallenged preliminary hearing transcript, demonstrates conviction under a still-valid theory. The court affirms the judgment denying relief but remands to allow Ramon Patton an opportunity to amend his petition.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Justice Jenkins; Chief Justice Guerrero; Justice Corrigan; Justice Liu; Justice Kruger; Justice Groban; Justice Evans
JURISDICTION	California Supreme Court
DECIDED	March 3, 2025
DOCKET	S279670
DISPOSITION	affirmed
PROCEDURAL POSTURE	Review granted from a published California Court of Appeal decision affirming denial of a Penal Code section 1172.6 resentencing petition.
STANDARD OF REVIEW	The prima facie determination under Penal Code section 1172.6 is a limited legal inquiry. The court may consult the record of conviction and reject conclusory allegations refuted by that record, but may not resolve disputed facts by weighing evidence or exercising discretion.
PRECEDENTIAL VALUE	Published and binding California Supreme Court precedent
PARTIES	Ramon Patton v. The People

TOPICS

- state post-conviction relief
- sentence modification
- post-conviction relief
- statutory interpretation
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a trial court may rely at the Penal Code section 1172.6 prima facie stage on unchallenged facts in a preliminary hearing transcript to refute conclusory checkbox allegations that a conviction was based on a now-invalid theory.
2. Whether relying on those undisputed record facts constitutes impermissible factfinding or improperly shifts the burden of proof to the petitioner.
3. Whether Patton should receive an opportunity on remand to amend his resentencing petition.

HOLDINGS

1. After a facially sufficient petition is filed, a trial court may consult the record of conviction, including a preliminary hearing transcript preceding a guilty plea, to refute conclusory allegations of eligibility when the record demonstrates that the conviction was based on a still-valid theory.
2. A petitioner who responds to a relief-foreclosing record of conviction with only conclusory allegations has not made the prima facie showing required by section 1172.6, subdivision (c). The petitioner must come forward with nonconclusory allegations identifying facts that would support relief or create a material factual dispute.
3. Requiring nonconclusory allegations at the prima facie stage does not shift the ultimate burden of proof to the petitioner. If the petition identifies a material factual dispute, the court may not resolve it at the prima facie stage and must issue an order to show cause if relief is not otherwise foreclosed.
4. The Court of Appeal correctly affirmed denial of Patton's petition because his conclusory allegations did not establish a prima facie case in light of the record showing him to be the sole direct perpetrator, but the matter must be remanded to allow him to seek leave to file an amended petition.

KEY QUOTATIONS

“We hold that a petitioner who offers only conclusory allegations of entitlement to relief under section 1172.6, in response to a record of conviction that demonstrates the petitioner’s conviction was under a still-valid theory, has not, thereby, made a prima facie showing.” (2)

“But absent specific facts, no such dispute arises, as Patton asserts, from mere latent, speculative possibilities; that is, a hypothetical alternate direct perpetrator cannot be conjured from thin air or a legal conclusion.” (19)

“After determining the facial validity of a resentencing petition and before ordering an evidentiary hearing, a trial court may properly, at the prima facie stage, reference the record of conviction to “ ‘refut[e]’ ” (Lewis, 11 Cal.5th at p. 971) conclusory allegations in furtherance of its statutorily required screening function at that juncture of a section 1172.6 proceeding.” (23)

FACTUAL BACKGROUND

Patton was charged with willful, deliberate, and premeditated attempted murder and related firearm and gang allegations. At the preliminary hearing, officers testified that surveillance video showed a shooter at a motel office and identified Patton as the shooter; the defense presented no evidence. Patton later pleaded no contest to attempted murder, admitted personally and intentionally discharging a firearm, and received a 29-year sentence. In his later section 1172.6 petition, he offered only checkbox allegations, while the preliminary hearing transcript and his firearm admission supported the conclusion that he was the direct and sole shooter.

PROCEDURAL HISTORY

Patton pleaded no contest to attempted murder and admitted a firearm-use enhancement after the People dismissed other charges and agreed to strike the allegations of willfulness, premeditation, and deliberation. He later filed a Penal Code section 1172.6 resentencing petition using a form containing checkbox allegations. The superior court denied the petition at the prima facie stage after considering the preliminary hearing transcript, and the Court of Appeal affirmed. The California Supreme Court affirmed the Court of Appeal but remanded for consideration of an amended petition filed within 30 days.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The Court of Appeal shall remand to the Los Angeles County Superior Court. The superior court must consider an amended section 1172.6 petition if Patton seeks to file one within 30 days of the remand. The court otherwise affirmed the judgment of the Court of Appeal.

CASES CITED

- People v. Patton, 89 Cal.App.5th 649 (2023)
- People v. Gentile, 10 Cal.5th 830, 842-847 (2020)
- People v. Strong, 13 Cal.5th 698, 708-709 (2022)
- People v. Lewis, 11 Cal.5th 952, 957, 959-960, 965, 967-973 (2021)
- People v. Porter, 73 Cal.App.5th 644, 652 (2022)
- People v. Delgadillo, 14 Cal.5th 216, 233 (2022)
- People v. Davenport, 71 Cal.App.5th 476, 481-484 (2021)
- People v. Flores, 76 Cal.App.5th 974, 991 (2022)
- People v. Rivera, 62 Cal.App.5th 217, 235 (2021)
- People v. Pickett, 93 Cal.App.5th 982, 990 (2023)
- People v. Mares, 99 Cal.App.5th 1158, 1173 (2024)
- People v. Muhammad, 107 Cal.App.5th 268, 279 (2024)
- People v. Williams, 103 Cal.App.5th 375, 403, 406 (2024)
- People v. Alazar, 105 Cal.App.5th 1100, 1109, 1112 (2024)

- People v. Curiel, 15 Cal.5th 433, 440-446, 442, 463, 465 n.6, 470-471 (2023)
- County of Santa Clara v. Superior Court, 14 Cal.5th 1034, 1041 (2023)
- In re Hamilton, 20 Cal.4th 273, 284 (1999)
- People v. Romero, 8 Cal.4th 728, 741-742 (1994)
- Maas v. Superior Court, 1 Cal.5th 962, 974, 977 (2016)
- In re Jenkins, 14 Cal.5th 493, 519 n.23 (2023)
- People v. Reed, 13 Cal.4th 217, 220-227 (1996)
- People v. Miles, 43 Cal.4th 1074, 1082 (2008)
- People v. Gallardo, 4 Cal.5th 120, 124-126 (2017)
- Guardianship of Saul H., 13 Cal.5th 827, 856 n.9 (2022)
- In re Manriquez, 5 Cal.5th 785, 797 (2018)
- Chicago Title Ins. Co. v. Great Western Financial Corp., 69 Cal.2d 305, 327 (1968)
- Dominguez v. Bonta, 87 Cal.App.5th 389, 398 (2022)
- People v. Johnson, 8 Cal.5th 475, 506 (2019)
- Wilson v. Cable News Network, Inc., 7 Cal.5th 871, 888 (2019)
- Hampton v. County of San Diego, 62 Cal.4th 340, 358 (2015)
- Reid v. Google, Inc., 50 Cal.4th 512, 520 n.2 (2010)
- Donohue v. AMN Services, LLC, 11 Cal.5th 58, 79 (2021)