

SUPREME COURT OF CALIFORNIA

People v. Scully

11 Cal. 5th 542 (2021) · No. S062259 · Decided July 30, 2021

SUMMARY

The California Supreme Court modifies its prior opinion in *People v. Scully* and denies the defendant’s petition for rehearing. The modifications correct descriptions of the number, timing, and content of newspaper articles concerning pretrial publicity; the court states that the modification does not affect the judgment.

CASE DETAILS

COURT	Supreme Court of California
JURISDICTION	California
DECIDED	July 30, 2021
DOCKET	S062259
DISPOSITION	other
PROCEDURAL POSTURE	The Supreme Court of California issued an order modifying its previously filed majority opinion and denying the defendant's petition for rehearing.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Robert Walter Scully v. The People

TOPICS

- appellate procedure
- criminal procedure
- jury selection
- evidence

PRACTICE AREAS

- criminal procedure
- appellate procedure
- evidence

QUESTIONS PRESENTED

- Whether the majority opinion should be modified to correct descriptions of the number, timing, and content of newspaper articles concerning pretrial publicity.
- Whether the defendant's petition for rehearing should be granted.

KEY QUOTATIONS

“This modification does not affect the judgment. The petition for rehearing is denied.”

FACTUAL BACKGROUND

The order concerns the court's review of newspaper articles submitted in connection with defendant's challenge involving pretrial publicity. The modifications corrected the reported number, timing, and content of articles discussing defendant's alleged affiliation with the Aryan Brotherhood or a white supremacist group. The court stated that these changes did not affect the judgment.

PROCEDURAL HISTORY

The majority opinion was filed on May 24, 2021, and published at 11 Cal.5th 542. The court modified several factual descriptions concerning newspaper coverage and pretrial publicity, stated that the modifications did not affect the judgment, and denied the petition for rehearing.

DISPOSITION

other