

CALIFORNIA COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION TWO

People v. Krueger

People v. Krueger · No. A171137 · Decided November 12, 2025

SUMMARY

The California Court of Appeal affirmed the denial of Sara Lynn Krueger’s petition for resentencing under Penal Code section 1172.6. The court held that the jury’s findings of first degree murder by torture conclusively established a currently valid theory of murder liability unaffected by Senate Bill No. 1437. The court modified its October 21, 2025 opinion in a minor wording change and denied rehearing, without changing the judgment.

CASE DETAILS

COURT	California Court of Appeal, First Appellate District, Division Two
WRITING FOR THE COURT	Miller, J.; Stewart, P.J.; Richman, J.
JURISDICTION	California Court of Appeal, First Appellate District, Division Two
DECIDED	November 12, 2025
DOCKET	A171137
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed the Napa County Superior Court's order denying her petition for resentencing under Penal Code section 1172.6 at the prima facie stage.
STANDARD OF REVIEW	Independent review of the trial court's determination that the petitioner failed to make a prima facie showing for relief under Penal Code section 1172.6.
PRECEDENTIAL VALUE	Published and certified for publication
PARTIES	Sara Lynn Krueger v. The People

TOPICS

- post-conviction relief
- sentence modification
- statutory interpretation
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Krueger was eligible for resentencing under Penal Code section 1172.6 because she could not presently be convicted of murder following Senate Bill No. 1437's amendments to Penal Code sections 188 and 189.
2. Whether the jury instructions and verdicts conclusively established that Krueger was convicted under a currently valid theory of murder liability.
3. Whether the trial court properly denied the petition at the prima facie stage.

HOLDINGS

1. A section 1172.6 petition may be denied at the prima facie stage when the jury verdicts and instructions conclusively establish that the petitioner was convicted under a currently valid theory of murder liability and therefore could still presently be convicted of murder.
2. A jury finding that a defendant aided and abetted first degree murder by torture necessarily establishes the malice required for murder because torture murder requires a mental state more culpable than the malice required for second degree murder.
3. The appellate court may review the correctness of the trial court's ruling rather than the trial court's stated reasoning and may affirm a legally correct result reached for an erroneous reason.

KEY QUOTATIONS

“The jury verdicts and jury instructions in this case conclusively demonstrate Krueger is ineligible for resentencing relief because she does not meet the condition that she “could not presently be convicted of murder . . . because of changes to Section 188 or 189 made” by Senate Bill 1437” (9)

“The jury’s finding of a mental state more culpable than malice necessarily meets the element of malice required for murder.” (15)

FACTUAL BACKGROUND

Krueger was convicted in 2017 of first degree murder by torture in the death of her daughter, Kayleigh S., and of assault causing the death of a child under eight. The prosecution proceeded on direct perpetration and aiding-and-abetting theories, but not felony murder or natural-and-probable-consequences murder. The jury was instructed that torture murder required a willful, deliberate, and premeditated intent to inflict extreme and prolonged pain for a calculated purpose. The special-circumstance finding was later reversed for insufficient evidence of specific intent to kill, but the first degree murder conviction remained intact.

PROCEDURAL HISTORY

Krueger was convicted by a jury of first degree murder by torture and assault causing death of a child. After the torture special-circumstance finding was reversed on direct appeal, the remaining judgment was affirmed and Krueger was sentenced to 25 years to life for murder, with a concurrent or stayed sentence for the assault count.

She later petitioned for resentencing under Penal Code section 1172.6, but the superior court denied the petition without issuing an order to show cause. The Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Warner (Oct. 21, 2025, A171126)
- People v. Krueger (Jan. 20, 2021, A152087), 2021 WL 194189
- People v. Lewis, 11 Cal. 5th 952, 957 (2021)
- People v. Curiel, 15 Cal. 5th 433, 440, 461-465, 467 (2023)
- In re Ferrell, 14 Cal. 5th 593, 600 (2023)
- People v. McCoy, 25 Cal. 4th 1111, 1117-1118 (2001)
- People v. Reyes, 14 Cal. 5th 981, 990 (2023)
- People v. Gentile, 10 Cal. 5th 830, 848, 850 (2020)
- People v. Strong, 13 Cal. 5th 698, 708 (2022)
- People v. Harden, 81 Cal. App. 5th 45, 59-60 (2022)
- People v. Morales, 102 Cal. App. 5th 1120, 1131 (2024)
- People v. Antonelli, 17 Cal. 5th 719, 731 (2025)
- People v. Langi, 73 Cal. App. 5th 972, 975-976, 982 (2022)
- People v. Maldonado, 87 Cal. App. 5th 1257, 1259, 1266 (2023)
- People v. Burns, 95 Cal. App. 5th 862, 865, 867-869 (2023)
- People v. Berry-Vierwinden, 97 Cal. App. 5th 921, 925-929, 933-936 (2023)
- In re Baraka H., 6 Cal. App. 4th 1039, 1045 (1992)
- As You Sow v. Conbraco Industries, 135 Cal. App. 4th 431, 447 (2005)
- People v. Brown, 14 Cal. 5th 453, 456 (2023)
- People v. Steger, 16 Cal. 3d 539, 546 (1976)
- People v. Lopez (Oct. 4, 2024, F085300), review granted Jan. 15, 2025, S287814