

CALIFORNIA COURT OF APPEAL, FOURTH APPELLATE DISTRICT,
DIVISION ONE

People v. Haddock; People v. Frank

Haddock · No. D084537; D084538 · Decided May 28, 2026

SUMMARY

The California Court of Appeal, Fourth Appellate District, Division One, considered consolidated appeals by Donte Jerome Haddock and Anthony Constantin Frank from orders denying new-trial motions and discovery requests under California’s Racial Justice Act. The court held that the trial court properly denied the motions based on Evidence Code section 352.2, but applied improper legal standards in evaluating the Racial Justice Act claims and discovery requests. It conditionally reversed the judgments and remanded for further proceedings.

CASE DETAILS

COURT	California Court of Appeal, Fourth Appellate District, Division One
WRITING FOR THE COURT	O'Rourke, J.; McConnell, P. J.; Buchanan, J.
JURISDICTION	California Court of Appeal, Fourth Appellate District, Division One
DECIDED	May 28, 2026
DOCKET	D084537; D084538
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Consolidated criminal appeals from orders denying appellants' renewed motions for new trial under California's Racial Justice Act and requests for Racial Justice Act discovery, following an earlier appellate remand after gang enhancements were vacated.
STANDARD OF REVIEW	De novo review applies to the legal conclusion whether a defendant made a prima facie Racial Justice Act showing. Discovery orders are reviewed for abuse of discretion; factual underpinnings are reviewed for substantial evidence, but determinations resting on incorrect legal premises are reviewed de novo. The admissibility ruling concerning the rap song was reviewed under the law-of-the-case doctrine and the applicable Evidence Code section 352 standard.
PRECEDENTIAL VALUE	published
PARTIES	Donte Jerome Haddock, Anthony Constantin Frank v. The People

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court erred in denying appellants' new trial motions based on Evidence Code section 352.2 and the admission of the rap song.
2. Whether the trial court applied an improper standard in determining that appellants failed to make a prima facie showing of a Racial Justice Act violation.
3. Whether the trial court improperly weighed Haddock's credibility and considered prejudice at the prima facie stage of an RJA motion.
4. Whether county-level statistical evidence, without additional case-specific facts, can establish the plausible factual foundation or good cause required for RJA discovery.
5. Whether the trial court improperly applied the City of Alhambra discovery factors before determining whether appellants had established the threshold showing for RJA discovery.

HOLDINGS

1. The trial court properly denied the new trial motions. Evidence Code section 352.2 does not apply retroactively, and *People v. Aguirre* did not materially change the governing section 352 standard so as to displace the law-of-the-case doctrine. Even under *Aguirre*'s analytical framework, admission of the rap song for the nonpropensity purposes of showing a coconspirator's animus and appellants' motive was not unduly prejudicial.
2. Appellants established a prima facie Racial Justice Act violation sufficient to require an evidentiary hearing because their allegations, if true, demonstrated more than a mere possibility that the prosecution's presentation of the rap song's racially charged introduction exhibited bias or animus toward appellants based on race.
3. The trial court abused its discretion by denying RJA discovery under legally erroneous premises. A defendant may establish the threshold plausible factual foundation for RJA discovery through statistical evidence alone, and the City of Alhambra factors are considered only after the threshold showing of good cause has been made.

KEY QUOTATIONS

“At the prima facie stage, appellants were not required to prove the truth of Haddock’s account; they were required only to show that, if true, the facts alleged would establish a violation.” (p. 18)

“Whether any ultimately proven violation was prejudicial is a question for a later stage in the proceedings.” (p. 18)

“By requiring more than a plausible factual showing and prematurely invoking additional discovery constraints, the trial court applied a framework that unduly restricted access to potentially probative evidence.” (p. 24)

FACTUAL BACKGROUND

Haddock and Frank, fellow members of the San Diego Lincoln Park Bloods, were convicted for their involvement in separate gang-related shootings that killed Darris W. in 2011 and Xusha B. in 2013, as well as an attempted murder. The prosecution introduced a rap song performed by alleged coconspirator Glenn G., also known as Little Fatal, to show Glenn's animus toward a rival gang and appellants' motive to follow his directives. Appellants later alleged that the jury also heard an excluded spoken introduction containing racially charged language, gun-related statements, gunshots, breaking glass, and sirens. They supported their RJA discovery request with county-level statistics indicating that Black defendants were charged with homicide special circumstances at a higher rate than White defendants.

PROCEDURAL HISTORY

A jury convicted Haddock and Frank of two murders, two conspiracies to commit murder, and attempted murder, and found multiple enhancements and special circumstances true. In an earlier unpublished opinion, the Court of Appeal vacated the gang enhancements and gang-related firearm enhancements. On remand, the People declined to retry those enhancements; the trial court denied appellants' motions under Evidence Code section 352.2 and the Racial Justice Act, denied RJA discovery, and resentenced them. The Court of Appeal rejected the Evidence Code section 352.2 challenge, but conditionally reversed and remanded for an RJA evidentiary hearing and reconsideration of the discovery request.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The judgments are conditionally reversed. The trial court must conduct an evidentiary hearing on appellants' RJA motions under Penal Code section 745, subdivision (c), reconsider the RJA discovery request under the correct threshold standard, and conduct any further proceedings necessary if relief is granted. If the trial court denies relief on remand, the judgments will be reinstated.

CASES CITED

- People v. Frank, Aug. 5, 2022, D076986, D076737 (nonpub. opn.)
- People v. Aguirre, 18 Cal.5th 629 (2025)
- People v. Jurado, 38 Cal.4th 72 (2006)
- People v. Sons, 164 Cal.App.4th 90 (2008)
- People v. Stanley, 10 Cal.4th 764 (1995)
- People v. Washington, 15 Cal.App.5th 19 (2017)

- Young v. Superior Court, 79 Cal.App.5th 138 (2022)
- Finley v. Superior Court, 95 Cal.App.5th 12 (2023)
- People v. Howard, 104 Cal.App.5th 625 (2024)
- Gonzales v. Superior Court, 108 Cal.App.5th Supp. 36 (2024)
- McDaniel v. Superior Court, 111 Cal.App.5th 228 (2025)
- People v. Superior Court (Lalo), 114 Cal.App.5th 707 (2025)
- City of Alhambra v. Superior Court, 205 Cal.App.3d 1118 (1988)

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