

CALIFORNIA COURT OF APPEAL, SECOND APPELLATE DISTRICT,
DIVISION SEVEN

People v. Munoz

B336656 · No. B336656 · Decided April 8, 2025

SUMMARY

The California Court of Appeal affirmed the denial of Ramiro Munoz’s petition for recall and resentencing under Penal Code section 1170, subdivision (d)(1). Munoz, who was 15 when he committed a first degree murder and related offenses, argued that his sentence of 50 years to life was the functional equivalent of life without parole and that he was therefore eligible for relief. The court held that his sentence was not functionally equivalent to life without parole and that section 1170, subdivision (d)(1), did not authorize his petition.

CASE DETAILS

COURT	California Court of Appeal, Second Appellate District, Division Seven
WRITING FOR THE COURT	Segal, Acting Presiding Justice; Stone, Justice; Feuer, Justice
JURISDICTION	California Court of Appeal, Second Appellate District, Division Seven
DECIDED	April 8, 2025
DOCKET	B336656
DISPOSITION	affirmed
PROCEDURAL POSTURE	Munoz appealed from the Los Angeles County Superior Court's order denying his petition for recall and resentencing under Penal Code section 1170, subdivision (d)(1).
STANDARD OF REVIEW	Statutory interpretation and application of the statute to the facts are reviewed de novo; factual findings are reviewed for substantial evidence. Equal protection claims are reviewed de novo.
PRECEDENTIAL VALUE	published
PARTIES	Ramiro Munoz v. The People

TOPICS

- post-conviction relief
- sentencing
- statutory interpretation
- equal protection
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Penal Code section 1170, subdivision (d)(1), authorizes a juvenile offender sentenced to 50 years to life, rather than an explicit life-without-parole sentence, to petition for recall and resentencing.
2. Whether Munoz's 50-years-to-life sentence is the functional equivalent of life without parole for purposes of section 1170, subdivision (d)(1).
3. Whether excluding juvenile offenders sentenced to 50 years to life from section 1170, subdivision (d)(1), violates equal protection.

HOLDINGS

1. Section 1170, subdivision (d)(1), by its plain terms limits eligibility to defendants who were under 18 when they committed the offense and were sentenced to life without the possibility of parole; it does not extend to defendants sentenced to 50 years to life.
2. Munoz's 50-years-to-life sentence is not the functional equivalent of life without parole because he would become eligible for parole at age 65 and therefore would have a realistic opportunity for release during his expected lifetime.
3. The equal protection issue was not established on this record because Munoz's sentence was not the functional equivalent of LWOP, and Munoz did not argue that excluding all defendants sentenced to 50 years to life violated equal protection even if their sentences were not functionally equivalent to LWOP.

KEY QUOTATIONS

"Section 1170, subdivision (d)(1), applies to juvenile offenders sentenced to life without the possibility of parole; it does not apply to any other group of defendants." (at 9)

"In contrast to the defendant in Caballero, Munoz will be 65 years old when he becomes eligible for parole (putting aside any hearing he may receive under section 3051) and will have a realistic opportunity to obtain release from prison during his expected lifetime." (at 11)

"The order denying Munoz's petition under section 1170, subdivision (d)(1), is affirmed." (at 18)

FACTUAL BACKGROUND

In 2006, Munoz, who was 15 years old, shot and killed Marcos Juarez, apparently because Munoz believed Juarez belonged to a rival gang. A jury convicted Munoz of first degree murder and shooting at an occupied motor vehicle and found firearm and gang allegations true. After the gang enhancement was stricken on appeal, Munoz's sentence was 50 years to life, making him eligible for parole under section 3051 at age 39, after 15 years of incarceration.

PROCEDURAL HISTORY

A jury convicted Munoz in 2008 of first degree murder and shooting at an occupied motor vehicle and found firearm and gang allegations true. After an earlier appeal resulted in reversal of a 10-year gang enhancement, the

trial court resentenced him to 50 years to life. In 2023, Munoz petitioned for recall and resentencing under section 1170, subdivision (d)(1); the superior court denied the petition, and the Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Munoz, B207341 (Apr. 13, 2009) (nonpub. opn.)
- In re Kirchner, 2 Cal.5th 1040, 1049-1050 (2017)
- People v. Superior Court (Valdez), 108 Cal.App.5th 791, 794, 800 (2025)
- People v. Sorto, 104 Cal.App.5th 435, 440, 446, 448, 452-454 (2024)
- People v. Heard, 83 Cal.App.5th 608, 612, 622, 626, 629, 631, 634 (2022)
- Roper v. Simmons, 543 U.S. 551, 569, 575 (2005)
- Graham v. Florida, Graham v. Florida, 560 U.S. 48, 68-69, 74-75 (2010)
- Miller v. Alabama, Miller v. Alabama, 567 U.S. 460, 479, 489 (2012)
- People v. Caballero, 55 Cal.4th 262, 265, 268 (2012)
- People v. Hardin, 15 Cal.5th 834, 845, 862-863 (2024)
- People v. Franklin, 63 Cal.4th 261, 268, 277, 280, 286-287 (2016)
- People v. Williams, 17 Cal.5th 99, 115 (2024)
- People v. Haring, 69 Cal.App.5th 483, 495 (2021)
- People v. Bagsby, 106 Cal.App.5th 1040, 1047 (2024)
- People v. Mendez, 188 Cal.App.4th 47, 63 (2010)
- People v. Contreras, 4 Cal.5th 349, 358-369, 379-380 (2018)
- People v. DePriest, 42 Cal.4th 1, 58 (2007)
- Michael Leslie Productions, Inc. v. City of Los Angeles, 207 Cal.App.4th 1011, 1026 (2012)
- People v. Raybon, 11 Cal.5th 1056, 1084 (2021)
- People v. Cervantes, 44 Cal.App.5th 884, 888 (2020)
- People v. Martinez, 76 Cal.App.4th 489, 495 (1999)
- Johnson v. Department of Justice, 60 Cal.4th 871, 887 (2015)
- People v. Paige, 51 Cal.App.5th 194, 205 (2020)
- People v. Acosta, 242 Cal.App.4th 521, 528 (2015)
- People v. Ruiz, 4 Cal.5th 1100, 1106 (2018)
- People v. Gonzales, 107 Cal.App.5th 312, 328 (2024)
- People v. Seumanu, 61 Cal.4th 1293, 1372-1373 (2015)
- People v. Harris, 36 Cal.3d 36, 53-54 & fn. 8 (1984)
- Voice of San Diego v. Superior Court, 66 Cal.App.5th 669, 691 fn. 14 (2021)
- Preserve Shorecliff Homeowners v. City of San Clemente, 158 Cal.App.4th 1427, 1434, 1449 (2008)

- Bennett v. Livermore Unified School District, 193 Cal.App.3d 1012, 1015 fn. 2 (1987)
- People v. Chatman, 4 Cal.5th 277, 288 (2018)
- California Grocers Association v. City of Los Angeles, 52 Cal.4th 177, 208 (2011)
- People v. Morales, 67 Cal.App.5th 326, 345 (2021)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/california-court-of-appeal-second-appellate-district-division-seven-california-court-of-appeal-secon/2025/people-v-munoz-zq9chui0>