

IN THE SUPREME COURT OF CALIFORNIA

En Banc

ROBERT BLAKE, Petitioner,

v.

LOS ANGELES COUNTY SUPERIOR COURT, Respondent;

PEOPLE, Real Party in Interest.

SUPREME COURT
FILED

OCT - 2 2002

Frederick K. Ohlrich Clerk

DEPUTY

The petition for review is ordered refiled as a petition for writ of habeas corpus. The Los Angeles County Sheriff is ordered to show cause before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to a bail hearing forthwith as to whether "the facts are evident or the presumption great" with respect to the special circumstance allegation. (See, Cal. Const., art I, § 12(a); Pen. Code, §§ 1269c, 1270.2, 1270.5; *Clark v. Superior Court* (1992) 11 Cal.App.4th 455; *In re Nordin* (1983) 143 Cal.App.3d 538, 543.) The return shall be filed on or before October 7, 2002.

George

Chief Justice
Kennard

Associate Justice

Associate Justice
Werdegar

Associate Justice
Chin

Associate Justice

Associate Justice
Moreno

Associate Justice