

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JANUARY 22, 2018**

"Slip opinions" are the opinions delivered by the Supreme Court Justices and are subject to modification, rehearing, withdrawal, or clerical corrections. Modifications to previously posted opinions will be linked to the case number in the petition for rehearing section the day the changes are announced.

Click on the case number to view the opinion in pdf format.

OPINIONS

2018 CO 3

Supreme Court Case No. 16SC112
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 14CA1816

Petitioner:

Jane E. Norton,

v.

Respondents:

Rocky Mountain Planned Parenthood, Inc. a/k/a Planned Parenthood of the Rocky Mountains, Inc., a Colorado nonprofit corporation; John W. Hickenlooper, in his official capacity as Governor of the State of Colorado; Susan E. Birch, in her official capacity as Executive Director of the Colorado Department of Health Care Policy and Financing; and Larry Wolk, in his official capacity as Executive Director of the Colorado Department of Public Health & Environment.

Judgment Affirmed

en banc

CHIEF JUSTICE RICE delivered the Opinion of the Court.
JUSTICE BOATRIGHT dissents, and **JUSTICE COATS** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2018 CO 4

Supreme Court Case No. 13SC1017
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 10CA2114

Petitioner:

The People of the State of Colorado,

v.

Respondent:

David Bueno.

Judgment Affirmed

en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

2018 CO 5

Supreme Court Case No. 15SC448
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 10CA2609

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Isidore A. Griego.

Judgement Affirmed

en banc

JUSTICE GABRIEL delivered the Opinion of the Court.
JUSTICE COATS dissents, and JUSTICE BOATRIGHT joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

PETITIONS FOR REHEARING

2017 CO 107

Supreme Court Case No. 16SC455
Certiorari to the Colorado Court of Appeals
Court of Appeals Case Nos. 14CA2099 & 14CA2463

Petitioners:

UMB Bank, N.A.; Colorado Bondshares – A tax exempt fund; and Marin Metropolitan District, a Colorado Special District,

v.

Respondent:

Landmark Towers Association, Inc., a Colorado nonprofit corporation, by EWP-GV, LLC, as receiver for 7677 East Berry Avenue Associates, LP, its Declarant.

Petition for Rehearing DENIED. EN BANC.

DENIED PETITIONS FOR WRIT OF CERTIORARI

Case No. 17SC203 Court of Appeals Case No. 14CA107

Petitioner:

Bruce C. Nunnally,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC323, Court of Appeals Case No. 14CA860

Petitioner:

Larry Edward Spencer, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC349, Court of Appeals Case No. 13CA1306

Petitioner:

Gary William Carrico, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC433, Court of Appeals Case No. 15CA739

Petitioner:

Tammy Marie Pimble,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC443, Court of Appeals Case No. 13CA1976

Petitioner:

Todd Wesley Eckley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC447, Court of Appeals Case No. 14CA1953

Petitioner:

Isaac Cornelius McCoy,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC452, Court of Appeals Case No. 15CA1510

In re the Marriage of

Petitioner/Cross-Respondent:

Jaime Squires,

and

Respondent/Cross-Petitioner:

Christopher J. Squires.

Petition and Cross-Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE RICE would grant as to the following issues:

[REFRAMED] Whether the court of appeals erred when it determined there was not a sufficient record to justify an award of travel expenses for a parent traveling alone to exercise parenting time.

[REFRAMED] Whether the court of appeals erred when it held the trial court had the authority to order a parent to pay the travel expenses of the other parent traveling alone to exercise parenting time.

No. 17SC453, Court of Appeals Case Nos. 16CA1013 & 15CA1103

Petitioner:

Garth Valentine, and any subsequent owner of Lot 21, Dallas Meadows Subdivision, as reflected in the plat recorded at Reception Number 125957 of the records of Ouray County, Colorado,

v.

Respondent:

Dallas Meadows Community Association, a Colorado nonprofit corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC469, Court of Appeals Case No. 16CA554

Petitioner:

Aaron Willson,

v.

Respondents:

Pamela J. Oliver, individually and as Trustee of The Richard and Pamela Oliver Family Trust; Richard J. Oliver, individually and as Trustee of The Richard and Pamela Oliver Family Trust; Richard and Pamela Oliver Family Trust; and Birgitta Ek.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC471, Court of Appeals Case No. 16CA822

Petitioner:

American Family Mutual Insurance Company,

v.

Respondent:

Omar Ashour.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC488, Court of Appeals Case No. 16CA194

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

D.A.M.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL would grant as to the following issue:

Whether the court of appeals reversibly erred when it “decline[d] to address” the voluntariness of petitioner’s statements, even under plain error review, and whether petitioner’s statements were involuntary and should have been suppressed.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC500, Court of Appeals Case No. 14CA2080

Petitioner:

Daniel Suazo, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC501, Court of Appeals Case No. 14CA1023

Petitioner:

Juan Ramon Rivera,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC534, Court of Appeals Case No. 14CA763

Petitioner:

Corrin Elijah Cleveland,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HOOD does not participate.

No. 17SC537, Court of Appeals Case No. 16CA1192

Petitioner:

Alfred Larry Johnston,

v.

Respondents:

Hunter Douglas Inc., Liberty Mutual Insurance Company, and Industrial Claim Appeals Office of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC538, Court of Appeals Case No. 16CA1217

Petitioner:

Mark Halper,

v.

Respondents:

San Miguel County Board of Equalization; Peggy Kanter, San Miguel County Assessor;
and Jeff Marsoun, Staff Appraiser.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC550, Court of Appeals Case No. 15CA1456

Petitioner:

Michael Dean Pfifer,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC556, Boulder County District Court Case No. 17CV302

Petitioner:

Brian Michael Rezac,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC557, Court of Appeals Case No. 16CA18

Petitioner:

Mark A. Schreiner,

v.

Respondent:

Anna V. Schreiner.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC559, Court of Appeals Case No. 16CA1128

Petitioner:

Jesse Wilkinson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC560, Court of Appeals Case No. 16CA448

Petitioner:

Shawn Sovde, a Minor by and through his Mother and Next Friend, Katrina Kinney,

v.

Respondents:

Andrew Sarka, M.D. and Kevin Scott, D.O.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE RICE would grant as to the following issues:

Whether the court of appeals erred in concluding that the trial court properly did not allow S.S. to call or present the depositions of doctors' designated expert witnesses after doctors decided to withdraw them.

Whether the court of appeals erred when it held that the exclusion of some admissible testimony was harmless.

No. 17SC565, Court of Appeals Case No. 16CA1012

Petitioner:

Rod R. Brown,

v.

Respondent:

Michael J. Carrigan.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC568, Court of Appeals Case No. 13CA2375

Petitioner:

Michael Medina,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC574, Court of Appeals Case No. 15CA1862

Petitioner:

Theresa Yvonne Cheetham-West,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC579, Jefferson County District Court Case No. 16CV31512

Petitioner:

James Louis LeBlanc,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC585, El Paso County District Court Case No. 16CV33303

Petitioner:

Bernard Coats,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC586, El Paso County District Court Case No. 16CV33279

Petitioner:

Urcel Gates,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC591, Court of Appeals Case No. 16CA220

Petitioner:

Roman Apolenio Valdilles, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC599, Weld County District Court Case No. 16CV31029

Petitioner:

Ezekiel Garcia,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC602, Jefferson County District Court Case No. 16CV173

Petitioners:

Victoria W. Quinn and Tim B. Quinn,

v.

Respondent:

Christopher M. Nixon.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC603, Court of Appeals Case No. 16CA1092

Petitioner:

Mickey A. Nichols,

v.

Respondent:

CY's Trinidad Hotels, LLC d/b/a La Quinta Inn.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC604, Court of Appeals Case No. 16CA1372

Petitioner:

Gerald R. Rising, Jr.,

v.

Respondents:

Holland & Hart LLP, Gregory Goldberg, Joseph Neguse, and Jason Crow.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE HART does not participate.

No. 17SC605, Court of Appeals Case No. 15CA632

Petitioner:

Kenny Lee Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC609, Court of Appeals Case No. 15CA628

Petitioner:

Perry Wayne Suggs, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC611, Court of Appeals Case No. 15CA557

Petitioner:

Cory Dain Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC618, Court of Appeals Case No. 16CA533

Petitioner:

Ray Nunn,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC619, Court of Appeals Case No. 15CA1077

Petitioner:

Linda Gail Wood,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC621, Court of Appeals Case No. 15CA1486

Petitioner:

Quent Scaggs,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC622, Court of Appeals Case No. 16CA1858

Petitioner:

Jeffrey Miller,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC623, Court of Appeals Case No. 16CA265

Petitioner:

Evert Wells,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC628, Court of Appeals Case No. 15CA1287

Petitioner:

Del Dawan Bankett,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC629, Court of Appeals Case No. 16CA1806

Petitioners:

Richard A. Landy and Landy Enterprises Inc.,

v.

Respondent:

Community Banks of Colorado, a Division of NBH Bank, N.A.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC631, Court of Appeals Case No. 16CA277

Petitioner:

David Irons,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
JUSTICE HOOD does not participate.

No. 17SC640, Court of Appeals Case No. 15CA1325

Petitioner:

Darrius Taylor,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC650, Court of Appeals Case No. 13CA1156

Petitioner:

Juan Del-Palacio,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC651, Court of Appeals Case No. 15CA1192

Petitioner:

Tammy Lyn Fritz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC653, Crowley County District Court Case No. 17CV30004

Petitioner:

Lee Nieland Sternal,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC654, Court of Appeals Case No. 16CA726

Petitioner:

Nikita Lee Weis,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC656, Court of Appeals Case No. 15CA1250

Petitioner:

Jacob Nicholas Garcia,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 17SC658, Court of Appeals Case No. 15CA647

Petitioner:

Arques Dovon Robinson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC667, Court of Appeals Case No. 17CA686

Petitioner:

Nathaniel Bellamy, Jr.,

v.

Respondents:

Boondocks Fun Center Northglenn, LLC and Industrial Claim Appeals Office.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC673, Court of Appeals Case No. 15CA173

Petitioner:

James Woodrow Pickard,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC685, Court of Appeals Case No. 16CA1086

Petitioner:

Joshua Theodore Yakas,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC703, Court of Appeals Case No. 13CA2383

Petitioner:

Lorenzo Ordonez-Alvarez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC867, Court of Appeals Case No. 17CA500

Petitioner:

D.D.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child: L.A.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC876, Court of Appeals Case No. 17CA475

Petitioner:

L.C.T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children: A.L.T. and D.I.T.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC878, Court of Appeals Case No. 17CA415

Petitioner:

L.S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child: N.S.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC886, Court of Appeals Case No. 17CA787

Petitioner:

V.R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child: A.C.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 17SC887, Court of Appeals Case No. 17CA408

Petitioner:

M.A.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children: M.M.C. and M.Z.C.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.
