

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
TUESDAY, OCTOBER 9, 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.

ORIGINAL PROCEEDING

**18SA237, In Re People v. Brown, Brandon
District Court, City and County of Denver, 17CR20001
Order to Show Cause issued on September 26, 2018**

**18SA245, In Re People v. Tarnowski, Adam
Douglas County District Court, 17CR506
Order to Show Cause issued on October 5, 2018**

RULE CHANGE

[RULE CHANGE 2018\(16\)](#)

RULES OF PROCEDURE REGARDING ATTORNEY DISCIPLINE AND DISABILITY PROCEEDINGS, COLORADO ATTORNEYS' FUND FOR CLIENT PROTECTION, AND MANDATORY CONTINUING LEGAL EDUCATION AND JUDICIAL EDUCATION

Rule 252.10

Amended and Adopted by the Court, En Banc, October 4, 2018, effective immediately

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC161, Court of Appeals Case No. 14CA2360

Petitioner/Cross-Respondent:

The People of the State of Colorado,

v.

Respondent/Cross-Petitioner:

Henry A. Portillo.

Petition for Writ of Certiorari DENIED. EN BANC. Cross-Petition for Writ of Certiorari GRANTED. The judgment of the Colorado Court of Appeals is vacated, and the case is remanded to the Colorado Court of Appeals for reconsideration in light of People v. Rediger, 2018 CO 32, 416 P.3d 893.

Whether the court of appeals erred in applying the waiver doctrine, completely barring appellate review of the instructional errors in this case, where defense counsel stated she had “no objection” to the instructions and the record reflected she was unaware that the court’s proposed instructions included an instruction that constructively amended the information, an instruction on an insufficient legal theory, and an instruction that gave an incomplete and inaccurate definition of computer crime and failed to define computer system.

Whether the district court constructively amended the information by failing to instruct the jury on the charged subsection of computer crime and instead instructed the jury on uncharged subsections of computer crime.

Whether the district court reversibly erred by instructing the jury on a legally inadequate theory of computer crime.

Whether the district court reversibly erred when it: (1) gave an incomplete and inaccurate definition of “computer” and (2) failed to define “computer system.”

DENIED AS TO ALL OTHER ISSUES.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC287, Court of Appeals Case No. 17CA262

In re the Marriage of:

Petitioner:

Ryan E. Boettcher,

v.

Respondent:

Christina L. Boettcher.

Petition for Writ of Certiorari GRANTED. EN BANC.

[REFRAMED] Whether section 14-10-115, C.R.S. (2018), provides for the Colorado Child Support Guidelines to be the rebuttable presumption in all cases, including those where incomes exceed the uppermost threshold, which must be overcome by evidence that a deviation from the guideline amount is necessary to meet the needs of the children.

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

18SC207, Court of Appeals Case No. 17CA321

Petitioner:

Florence Marie Ramstetter and Karol Lue Ramstetter,

v.

Respondent:

Edrie Jeanne Hostetler.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC293, Court of Appeals Case No. 14CA1328

Petitioner:

William Dean Otto,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC316, Court of Appeals Case No. 17CA305

Petitioner:

Ronald Dorsey, D.D.S.,

v.

Respondent:

Ludmila “Mila” Dosien.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC325, Court of Appeals Case No. 15CA654

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Timothy Wakefield.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC348, Court of Appeals Case No. 16CA2121

Petitioner:

Michael Allen Hadnot,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC392, Court of Appeals Case No. 15CA121

Petitioner:

Durron Larry Bryant,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC398, Court of Appeals Case No. 16CA1146

Petitioner:

Abrahan Heriberto Salazar,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC402, Court of Appeals Case No. 14CA2509

Petitioner:

Geraldine Vodicka,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 18SC423, Court of Appeals Case No. 17CA1072

Petitioner:

Cody Ward,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC614, Court of Appeals Case No. 17CA2010

Petitioner:

A. G. R.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

G. M. R. and V. E. R.

Petition for Writ of Certiorari DENIED. EN BANC.
