

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JUNE 18, 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 56](#)

[Supreme Court Case No. 16SC365](#)

Certiorari to Colorado Court of Appeals

Court of Appeals Court Case Nos. 15CA190 & 15CA331

Petitioner:

United States Welding, Inc., a Colorado corporation,

v.

Respondents:

Advanced Circuits, Inc., a Colorado corporation; and Buckeye Welding Supply Company, Inc., a Colorado corporation.

Judgment Reversed

en banc

JUSTICE COATS delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2018 CO 57](#)

[Supreme Court Case No. 15SC701](#)
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 13CA2283

Petitioners:

Crea J. McMullin and Martha E. McMullin,

v.

Respondents:

John Hauer and Sena Hauer, individually and on behalf of the homeowners association of Two Rivers Estates; Lincoln Trust FBO John Hauer; Joseph Conrado; and Kelly Conrado.

Judgment Reversed
en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court.
JUSTICE GABRIEL does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

2018 CO 58

Supreme Court Case No. 17SC55
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA1824

Petitioners:

Jay A. Roberts and Ashley Roberts McNamara, as Cotrustees of the Della I. Roberts Trust,

v.

Respondent:

Barry L. Bruce.

Judgment Affirmed
en banc

JUSTICE BOATRIGHT delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2018 CO 59](#)

[Supreme Court Case No. 16SC894](#)

Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA1371

Petitioners:

The City of Boulder, Colorado; the City Council for the City of Boulder, Colorado; Suzanne Jones, in her official capacity as Mayor; Aaron Brockett, in his official capacity as Mayor Pro Tem; and Cindy Carlisle, Jill Alder Grano, Lisa Morzel, Mirabai Kuk Nagle, Bob Yates, Sam Weaver, and Mary Young, in their official capacities as members of the City Council,

v.

Respondent:

Public Service Company of Colorado, a Colorado corporation.

Judgment Reversed

en banc

JUSTICE GABRIEL delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2018 CO 60](#)

[Supreme Court Case No. 18SA26](#)

Original Proceeding Pursuant to C.A.R. 21
Adams County District Court Case No. 08CR3237
Honorable Robert Walter Kiesnowski, Jr., Judge

In Re
Plaintiff:

The People of the State of Colorado,

v.

Defendant:

James Robert Stackhouse.

Rule Made Absolute
en banc

JUSTICE HART delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

RULE CHANGES

[RULE CHANGE 2018\(08\)](#)

Uniform Local Rules for All State Water Court Divisions
Rules 11, 12 and 13.

Amended and Adopted by the Court, En Banc, May 31, 2018, effective immediately.

GRANTED PETITIONS FOR WRIT OF CERTIORARI

18SC195, Court of Appeals Case No. 16CA1864

Petitioners:

Colorado Cab Company LLC and Shamrock Charters Inc.,

v.

Respondent:

Daniel Brunson.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals erred as a matter of law when it reversed the decision of the district court and held, as an issue of first impression, that the overtime exemption for “interstate drivers, driver helpers, loaders or mechanics of motor carriers” under the Colorado Minimum Wage Order (7 Colo. Code Regs. 1103-1:5) applies only to drivers who physically drive across state lines.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 17SC420, Court of Appeals Case No. 14CA1388

Petitioner:

Gabriel Ian Orozco,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC535, Court of Appeals Case No. 16CA471

Petitioner:

Gerome Ramero Brooks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC562, Court of Appeals Case No. 14CA1601

Petitioner:

Isidoro Alejandro Pena-Trevino,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC730, Court of Appeals Case No. 13CA1873

Petitioner:

Francisco R. Quintana,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 17SC798, Court of Appeals Case No. 16CA404

Petitioner:

Dexter Harris,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC850, Court of Appeals Case No. 13CA1114

Petitioner:

Fernando Leyva,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.

No. 17SC902, Court of Appeals Case No. 15CA1458

Petitioner:

Johnny Valdez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 17SC903, Court of Appeals Case No. 15CA426

Petitioner:

James B. Aragon,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC50, Court of Appeals Case No. 14CA1841

Petitioner:

Lucas M. Watts,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC55, Court of Appeals Case No. 15CA1362

Petitioner:

Johnathan Thomas Ratcliff,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC58, Court of Appeals Case No. 16CA438

Petitioner:

Damian Brandon Johnston,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC59, Court of Appeals Case No. 15CA1500

Petitioner:

Ryan Darnell Cunningham,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC60, Pueblo County District Court Case No. 17CV30432

Petitioner:

Brigido Patrick Vargas,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC62, Court of Appeals Case No. 16CA829

Petitioner:

Michael Todd Ricks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC63, Court of Appeals Case No. 16CA1802

Petitioner:

Tyler Groce,

v.

Respondent:

The People of the State of Colorado.

Petition For Writ of Certiorari DENIED. EN BANC.

No. 18SC72, Court of Appeals Case No. 15CA1978

Petitioner:

Ian Michael Ranney,

v.

Respondent:

The People of the State of Colorado.

Petition For Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC74, Court of Appeals Case No. 15CA1518

Petitioner:

Dean Porter Watson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC75, Court of Appeals Case No. 16CA1261

Petitioner:

Dashawn Hardie Lipscomb,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC76, Weld County District Court No. 17CV30417

Petitioner:

James Nelson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC77, Jefferson County District Court No. 17CV30447

Petitioner:

Michael Briels,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC79, Court of Appeals Case No. 15CA1358

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

Petitioner:

I. A. M.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC81, Court of Appeals Case No. 16CA1254

Petitioner:

Tim Wind,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC82, Court of Appeals Case No. 16CA42

Petitioner:

Taria Jantail Wilhite,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC83, Court of Appeals Case No. 15CA1792

Petitioner:

Jared James Delles,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC85, Court of Appeals Case No. 16CA1626

Petitioner:

Jorge Jovani Rosales,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC88, District Court, City and County of Denver Case No. 16CV33682

Petitioner:

Rickey Dixon,

v.

Respondent:

The City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC89, Jefferson County District Court Case No. 17CV338

Petitioner:

Sarah Arguello,

v.

Respondent:

Allison Village.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BOATRIGHT does not participate.

No. 18SC90, Court of Appeals Case No. 16CA40

Petitioner:

Caleb Bowers,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC91, Court of Appeals Case No. 16CA560

Petitioner:

Daniel Reyes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC93, District Court, City and County of Denver No. 15CV34396

Petitioner:

Kevin Watts,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC95, Court of Appeals Case No. 15CA1969

Petitioner:

Christopher Douglas Wise,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC96, Court of Appeals Case No. 14CA474

Petitioner:

Kevin Blair Roderick,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC100, Court of Appeals Case No. 15CA1398

Petitioner:

Michael Alvin Breaux,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC103, Court of Appeals Case No. 16CA797

Petitioner:

Johnny C. Gilbert,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC110, Mesa County District Court, 17CV30218

Petitioner:

Caleb Dell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC112, Court of Appeals Case No. 16CA1182

Petitioner:

Dante Walker,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC120, Court of Appeals Case No. 17CA208

Petitioner:

Timothy Gardner,

v.

Respondent:

Rainbows, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC133, Court of Appeals Case No. 16CA1185

Petitioner:

Kaminski Kuatrel Lee,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC137, Court of Appeals Case No. 15CA1035

Petitioner:

Charles Lee Broce,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC149, Court of Appeals Case No. 16CA2255

Petitioner:

Federico Lerma,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 18SC154, Court of Appeals Case No. 13CA826

Petitioner:

Carol Lee Hawley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC155, Court of Appeals Case No. 15CA866

Petitioner:

Leopoldo J. Maes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC215, Court of Appeals Case No. 17CA153

Petitioners:

Forensic Applications Consulting Technologies, Inc.; and Caoimhin P. Connell,

v.

Respondents:

Colorado Department of Public Health and the Environment; and Hazardous Materials and Waste Management Division.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 18SC363, Court of Appeals Case No.

Petitioner:

S. C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

A. K. C. and D. L. C.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ does not participate.