

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, JULY 26, 2021**

"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.

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**PETITION FOR REHEARING**

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**2021 CO 42**

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**Supreme Court Case No. 20SC251**  
*Certiorari to the Colorado Court of Appeals*  
Court of Appeals Case No. 18CA1308

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**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Paul Alex Lavadie.

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Petition for Rehearing DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**RULE CHANGES**

[RULE CHANGE 2021\(15\)](#)

COLORADO CODE OF JUDICIAL CONDUCT

Rules 1.2, 2.3, 2.12, and 2.15

**Amended and Adopted by the Court, En Banc, June 3, 2021, effective immediately.**

[RULE CHANGE 2021\(16\)](#)

COLORADO RULES OF CRIMINAL PROCEDURE

Rule 43

**Amended and Adopted by the Court, En Banc, July 15, 2021, effective immediately.**

[RULE CHANGE 2021\(17\)](#)

COLORADO RULES OF PROBATE PROCEDURE AND COLORADO PROBATE  
CODE FORMS

Rule 57

Forms 910, 913, 914, 920, 921, 924, and 926

**Amended and Adopted by the Court, En Banc, July 23, 2021, effective immediately.**

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 20SC664, Court of Appeals Case No. 19CA360**

**Petitioner:**

Daniel Moore,

v.

**Respondents:**

Berlin Placer Development LLC, Lange Berger LLC, and Summit County Board of County Commissioners.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 20SC826, Arapahoe County District Court Case No. 18CV32529**

**Petitioner:**

David Crawford,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 20SC856, Court of Appeals Case No. 17CA317**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Latrice Monique Black.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT would grant as to the following issue:

Whether the court of appeals erred in finding that the trial court was required to determine if progress towards a unanimous verdict was likely where the jury's question was hypothetical.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 20SC924, Court of Appeals Case No. 20CA965**

**Petitioner:**

LM General Insurance Company,

v.

**Respondent:**

Barbara Trudgian.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL does not participate.

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**No. 20SC969, Court of Appeals Case No. 16CA1941**

**Petitioner:**

Donald J. Manzanares, Jr.,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 20SC970, Court of Appeals Case No. 17CA1746**

**Petitioner:**

Salvador Vargas,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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***COLORADO SUPREME COURT CASE ANNOUNCEMENTS***

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**No. 21SC69, Court of Appeals Case No. 20CA111**

In re the Parental Responsibilities Concerning M.E.R-L. and D.L.R-L., Children,  
**and Concerning**

**Petitioner:**

Jeffery E. Lay,  
and

**Respondent:**

Mary A. Rodmon,

**and Concerning**

**Intervenor:**

El Paso County Child Support Services.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC82, District Court, City and County of Denver Case No. 19CV34420**

**Petitioner:**

Jacob Rieger & Company, LLC,

v.

**Respondent:**

Estate Brands Distributing Company, LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC92, Court of Appeals Case No. 19CA1724**

**Petitioners:**

John R. Platenak and Cynthia A. Platenak,

v.

**Respondents:**

John B. Westover; Wolf 359 Investments, LLC; Ail Fossil Creek, LLC; and Tuscany Custom Homes, LLC, a Colorado limited liability company.

Petition for Writ of Certiorari DENIED. EN BANC.

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**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

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**No. 21SC124, Court of Appeals Case No. 18CA775**

**Petitioner/Cross-Respondent:**

Zachariah Andrew Abad,

v.

**Respondent/Cross-Petitioner:**

The People of the State of Colorado.

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

JUSTICE SAMOUR would grant as to the following issues:

Whether the prosecution failed to authenticate cloud-based electronic evidence through law enforcement testimony that the evidence was produced in response to a record request served on the company providing the cloud-based storage.

Whether the court of appeals erred by expanding *People v. Bott*, 2020 CO 86, 477 P.3d 137, to support only a single count of sexual exploitation of a child where the defendant simultaneously possessed distinct items of sexually exploitative material in three separate locations.

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**No. 21SC135, Court of Appeals Case No. 15CA536**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Michael W. Struckmeyer.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRRIGHT would grant as to the following issue:

Whether the Court of Appeals erred by concluding that the trial court should have provided further clarification when the jury's question indicated that its confusion regarding mental states related to the severity of the offenses—which is not a proper consideration for the jury—and the jury was properly instructed on the definitions of each mental state.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC142, Court of Appeals Case No. 19CA1950**

**Petitioner:**

Mark Tena-Ruiz,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC151, Eagle County District Court Case No. 20CV30273**

**Petitioner:**

Andre Skweir,

v.

**Respondent:**

The Bluffs Townhome Association, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC162, Court of Appeals Case No. 18CA1453**

**Petitioner:**

Charles Addison Mead,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC163, Court of Appeals Case No. 18CA1605**

**Petitioner:**

Debra Kay Weimer-Clark,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC180, Court of Appeals Case No. 18CA1830**

**Petitioner:**

Jose Thomas Ninahualpa,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC193, Court of Appeals Case No. 17CA540**

**Petitioner:**

Ahmedin Yusuf,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC194, Court of Appeals Case No. 20CA1714**

**Petitioner:**

Mary-Ann M. Malone,

v.

**Respondents:**

Industrial Claim Appeals Office of the State of Colorado and Cherry Creek School District No. 5.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC220, Court of Appeals Case No. 18CA2441**

**Petitioner:**

Marco Antonio Delgado,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC222, Court of Appeals Case No. 17CA41**

**Petitioner:**

Anthony Dean Sena,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC223, Court of Appeals Case No. 20CA857**

**Petitioner:**

Kent Vu Phan,

v.

**Respondent:**

Mark A. Sares.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC226, Court of Appeals Case No. 20CA32**

**Petitioner:**

Valdamar Lansky,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC228, El Paso County District Court Case No. 19CV32815**

**Petitioner:**

Carlton Turner,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC230, Court of Appeals Case No. 20CA1395**

**Petitioner:**

Cedric Greene,

v.

**Respondent:**

Home At Last CDC.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC240, Court of Appeals Case No. 18CA88**

**Petitioner:**

Nathaniel Ferrell,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC247, El Paso County District Court Case No. 20CV30723**

**Petitioner:**

Walter Watson,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC248, Court of Appeals Case No. 20CA310**

**Petitioner:**

Angelo Michael Rodriguez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC250, El Paso County District Court Case No. 19CV30911**

**Petitioner:**

Brandon Porter,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC252 , Court of Appeals Case No. 18CA375**

**Petitioner:**

Malcolm P. Coultman,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC254, Douglas County District Court Case No. 19CV30460**

**Petitioner:**

Jeffery Chase,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC255, Court of Appeals Case No. 17CA1562**

**Petitioner:**

Keith David Hammock,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC261, Court of Appeals Case No. 19CA45**

**Petitioner:**

Chaz Patrick Todd,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC262, Court of Appeals Case No. 18CA1589**

**Respondent:**

The People of the State of Colorado,

**In the Interest of**

**Petitioner:**

G. C. B.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC364, Court of Appeals Case No. 20CA1387**

**Petitioner:**

C. L. F.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

K. L. W. and J. L. W.,

**and Concerning**

J. C.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC406, Court of Appeals Case No. 20CA1784**

**Petitioner:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

J. D.,

v.

**Respondents:**

T. D. and R. D.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC412, Court of Appeals Case No. 20CA1447**

**Petitioner:**

A. P.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

B. P. and D. P.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC416, Court of Appeals Case No. 20CA1610**

**Petitioner:**

T. B.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

N. R. D.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC427, Court of Appeals Case No. 20CA1804**

**Petitioner:**

A. S.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

D. J.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC428, Court of Appeals Case No. 20CA1258**

**Petitioner:**

N. Z.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

X. C.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC429, Court of Appeals Case No. 20CA1854**

**Petitioner:**

A. V.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

N. V.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC430, Court of Appeals Case No. 20CA1794**

**Petitioner:**

C. G.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

S. G.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC432, Court of Appeals Case No. 20CA947**

**Petitioner:**

M. W.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

M. W.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC433, Court of Appeals Case No. 20CA1741**

**Petitioner:**

C. G., Jr.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

S. M. G. n/k/a M.S. and J. A. S.

Petition for Writ of Certiorari DENIED. EN BANC.

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*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

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**No. 21SC440, Court of Appeals Case No. 20CA1740**

**Petitioner:**

C. P.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

M. P.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC449, Court of Appeals Case No. 20CA1325**

**Petitioner:**

A. D.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Children:**

G. Z. J., A. R. M., and J. D.

Petition for Writ of Certiorari DENIED. EN BANC.

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**No. 21SC478, Court of Appeals Case No. 20CA1415**

**Petitioner:**

R. B.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

B. T.

Petition for Writ of Certiorari DENIED. EN BANC.

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