

CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
TUESDAY, MAY 31, 2022

"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.

OPINION

[2022 CO 23](#)

Supreme Court Case No. 20SC853
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA2050

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Palmer Gilbert.

Judgment Affirmed in Part and Vacated in Part
en banc

JUSTICE MÁRQUEZ delivered the Opinion of the Court, in which **CHIEF JUSTICE BOATRIGT, JUSTICE HOOD, JUSTICE GABRIEL, JUSTICE HART, JUSTICE SAMOUR,** and **JUSTICE BERKENKOTTER** joined.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, MAY 31, 2022

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC665, Court of Appeals Case No. 18CA1212

Petitioner:

Sylvia Johnson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals reversibly erred and violated the petitioner’s due process right in affirming the petitioner’s conviction on the sole count of unlawful purchase of firearms where the government failed to prove that the petitioner purchased a firearm “for transfer to” a person ineligible to possess a firearm.

Whether the court of appeals reversibly erred in holding that the petitioner waived her right to challenge whether section 18-12-111(1), C.R.S. (2021) is unconstitutionally vague on its face and is unconstitutionally vague as applied to the petitioner when defense counsel “resisted the prosecutor’s attempt to provide the jury with a definition of ‘transfer.’”

[ADDITIONAL ISSUE] Whether section 18-12-111(1), C.R.S. (2021) is unconstitutionally vague as applied to the petitioner because it does not define “transfer.”

DENIED AS TO ALL OTHER ISSUES.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, MAY 31, 2022

No. 21SC745, Court of Appeals Case No. 18CA2015

Petitioner:

John Salvatore Cruz,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the automatic revocation provision in section 16-8-115.5(5), C.R.S., is unconstitutional under *Foucha v. Louisiana*, 504 U.S. 71 (1992).

DENIED AS TO ALL OTHER ISSUES.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC811, Court of Appeals Case No. 18CA779

Petitioner:

Adrian Thomas Lorelly Robles,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC905, Court of Appeals Case No. 20CA1646

In re the Marriage of

Petitioner:

Charlotte Charity McDaniel,

and

Respondent:

Troy Michael McGehee.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, MAY 31, 2022*

No. 21SC907, Court of Appeals Case No. 18CA2296

Petitioner:

Brian Keith McConnaughay,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC928, Court of Appeals Case No. 17CA1391

Petitioner:

William Walker Lancaster, III,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC933, Court of Appeals Case No. 19CA632

Petitioner:

Michael P. Graham,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC934, Court of Appeals Case No. 19CA1832

Petitioner:

Koss E. Hambrock,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
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No. 21SC939, Court of Appeals Case No. 19CA345

Petitioner:

Keith Robert Kolln,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC943, Court of Appeals Case No. 18CA961

Petitioner:

Juan Francisco Canales-Hernandez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC16, Court of Appeals Case No. 20CA1117

Petitioner:

Warren Dale Watson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC147, Court of Appeals Case No. 20CA1392

Petitioner:

Jackie-De Vere Allen Cole,

v.

Respondent:

Unknown El Paso County Sheriff's Office Records Clerk.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
TUESDAY, MAY 31, 2022*

No. 22SC300, Court of Appeals Case No. 21CA673

Petitioner:

J. G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

K. G.

Petition for Writ of Certiorari DENIED. EN BANC.
