

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, NOVEMBER 22, 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.

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC221, Court of Appeals Case No. 16CA2170

Petitioner:

Cory Rex Collins,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC231, Court of Appeals Case No. 20CA241

Petitioners:

Nikita Utkin and Marianna Utkin,

v.

Respondent:

The Preserve at Deerfield Homeowners Association, Inc., a Colorado nonprofit corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC280, Court of Appeals Case No. 17CA720

Petitioner:

Robert Jay Grosko,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC322, Court of Appeals Case No. 18CA7

Petitioner:

Manuel Ramos Rodriguez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR would grant as to the following issue:

Whether the court of appeals reversibly erred by finding that the prosecution was allowed to introduce and highlight evidence (throughout its case-in-chief) that the victim was twenty-six weeks pregnant during the assault.

No. 21SC391, Court of Appeals Case No. 18CA899

Petitioner:

Daniel Battigalli-Ansell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC396, Court of Appeals Case No. 18CA1596

Petitioner:

Everet Karl Price,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC420, Court of Appeals Case No. 20CA634

Petitioner:

Paul Niehus,

v.

Respondent:

McCabes Tavern, Inc., d/b/a McCabe's Tavern.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC443, Court of Appeals Case No. 18CA872

Petitioner:

Jose Alfredo Garza,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC479, Court of Appeals Case No. 18CA1333

Petitioner:

John Christopher Wilds,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC480, Court of Appeals Case No. 19CA2027

Petitioner:

Randall S. Thompson,

v.

Respondent:

City and County of Denver, Colorado, a home rule city and municipal corporation.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC486, Court of Appeals Case No. 19CA909

Petitioner:

Timothy David Smith,

v.

Respondents:

Executive Director, Colorado Department of Corrections and Warden, Fremont Correctional Facility.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC503, Court of Appeals Case No. 17CA1929

Petitioner:

Nahid Kadir Moshrefi,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 21SC513, Court of Appeals Case No. 17CA1268

Petitioner:

Roman Paul Isaiah Morales,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC545, Court of Appeals Case No. 20CA1523

Petitioner:

Edith Keating,

v.

Respondents:

Delta County Memorial Hospital; Industrial Claim Appeals Office of the State of Colorado; and Robert C. Adams d/b/a Bob Adams Trucking.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE GABRIEL does not participate.

JUSTICE SAMOUR would grant as to the following issues:

Whether the court of appeals erred as a matter of law in holding that a medical provider who knowingly violates section 8-42-101(4), C.R.S. (2021), for 119 consecutive days by continuing to “seek to recover [medical] costs and fees” from an injured employee is not subject to the Act’s continuing daily penalty provision, § 8-43-305, C.R.S. (2021).

Whether the court of appeals erred as a matter of law in interpreting the continuing penalty provision of section 8-43-305, C.R.S. (2021), to be inapplicable to a medical provider’s unlawful debt collection processes based upon the erroneous conclusion that such unlawful processes cannot be cured.

No. 21SC585, Court of Appeals Case No. 19CA1194

Petitioner:

Ronnie Darnell Bunch,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC606, Court of Appeals Case No. 19CA769

Petitioner:

Robert Callejas-Avarado,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC608, Court of Appeals Case No. 17CA818

Petitioner:

Gareth Desmond,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21 SC776, Court of Appeals Case No. 21CA492

Petitioner:

K.G.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

L.G.-G.

Petition for Writ of Certiorari DENIED. EN BANC.
