

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, SEPTEMBER 27, 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.

OPINIONS

[2021 CO 67](#)

Supreme Court Case No. 20SA429
Original Proceeding Pursuant to C.A.R. 21
Arapahoe County District Court Case No. 20CV31012
Honorable John L. Wheeler, Judge

**In Re
Plaintiffs:**

Erica Murphy Brown and Steven Brown,

v.

Defendants:

Shari L. Long Romero, R.N., C.N.M, R.X.N. and Denver Center for Birth and Wellness,
LLC.

Rule Made Absolute
en banc

CHIEF JUSTICE BOATRIGHT delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 68](#)

Supreme Court Case No. 20SC205
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 15CA40

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Randy D. Tallent.

Judgment Reversed
en banc

JUSTICE HART delivered the Opinion of the Court.
JUSTICE GABRIEL dissents, and **JUSTICE HOOD** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 69](#)

Supreme Court Case No. 19SC249
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 2015CA576

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Kerry Lee Cooper.

Judgment Reversed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE GABRIEL dissents, and **JUSTICE HOOD** and **JUSTICE HART** join in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 70](#)

Supreme Court Case No. 19SC485
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 2015CA1922

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Dylan Thomas Coons.

Judgment Reversed
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
JUSTICE GABRIEL concurs in the judgment, and **JUSTICE HOOD** and **JUSTICE HART** join in the concurrence in the judgment.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

RULE CHANGE

[RULE CHANGE 2021\(19\)](#)

COLORADO CODE OF JUDICIAL CONDUCT

Rule 2.12

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

ORIGINAL PROCEEDINGS

[21SA269](#)

In Re BNSF v. Spayd, Marvin

Order to Show Cause issued on September 14, 2021

[21SA276](#)

In Re BNSF v. Lange, Kenneth

Order to Show Cause issued on September 17, 2021

[21SA286](#)

In Re People v. Greer, Nicholas

Order to Show Cause issued on September 22, 2021

HELD PETITION FOR WRIT OF CERTIORARI

21SC305, Trujillo v. People

Held pending 20SC22, *People v. Tibbels* and 20SC353, *People v. Pettigrew*

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC72, Court of Appeals Case No. 17CA2228

Petitioner:

Dennis Spencer,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE MÁRQUEZ and JUSTICE HOOD would grant as to the following issue:

Whether *Cuyler v. Sullivan*, 446 U.S. 335 (1980) applies to counsel's personal conflicts and if so whether reversal is warranted under *West v. People*, 2015 CO 5.

No. 21SC187, Court of Appeals Case No. 18CA1859

Petitioner:

Jesus Villarruel,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC225, Court of Appeals Case No. 17CA1466

Petitioner:

Nicholas J. McDonald,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC271, Court of Appeals Case No. 19CA1527

Petitioner/Cross-Respondent:

Clint Munoz,

v.

Respondent/Cross-Petitioner:

Employment Solutions Personnel Services, Inc.

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

No. 21SC278, Court of Appeals Case No. 18CA2057

Petitioner:

Marisa Gail Garrett,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC314, Court of Appeals Case No. 18CA875

Petitioner:

Anthony Michael Waller,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC326, Court of Appeals Case No. 17CA1843

Petitioner:

Angel A. Chavez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC350, Court of Appeals Case No. 18CA1682

Petitioner:

Jeffery Lee Marshall,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC352, Court of Appeals Case No. 18CA569

Petitioner:

Romario Alejandro Roldan,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC353, Arapahoe County District Court Case No. 20CV31877

Petitioner:

Andres Hernandez-Martinez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC355, Court of Appeals Case No. 19CA1504

Petitioner:

Steven John Roybal,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC366, Court of Appeals Case No. 17CA1374

Petitioner:

Jason Michael Vanbommel,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC368, Court of Appeals Case No. 18CA1098

Petitioner:

Largo Constantine Mitchell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 21SC445, Court of Appeals Case No. 18CA1197

Petitioner:

Markeith Kevin Burton-Fleming,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC447, Court of Appeals Case No. 19CA562

Petitioner:

Julie R. Ott,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC455, Court of Appeals Case No. 20CA1255

Petitioner:

Kelly James Phillips, Jr.,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC461, Court of Appeals Case No. 18CA172

Petitioner:

Breanna Marie Wallis,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC462, Court of Appeals Case No. 19CA228

Petitioner:

Jason Paul Beamer,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC471, Court of Appeals Case No. 18CA1403

Petitioner:

Anthony Kelley,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC474, Court of Appeals Case No. 20CA156

Petitioner:

Saad S. Hanna,

v.

Respondent:

Littleton Public Schools.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC481, Court of Appeals Case No. 19CA1096

Petitioner:

William Frank Sandoval,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC482, Court of Appeals Case No. 19CA1901

Petitioner:

Micahi Stacy Hughes,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC483, Court of Appeals Case No. 19CA2145

Petitioner:

Shilpa Vanga,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC636, Court of Appeals Case No. 20CA1904

Petitioner:

J.L.H.,

v.

Respondent:

The People of the State of Colorado.

In the Interest of Minor Children:

E. A. D. and E. R. D.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC638, Court of Appeals Case No. 20CA532

Petitioner:

D.C.,

v.

Respondent:

The People of the State of Colorado.

In the Interest of Minor Child:

R.H.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC652, Court of Appeals Case No. 20CA1941

Petitioner:

S.M.R.,

v.

Respondent:

The People of the State of Colorado.

In the Interest of Minor Child:

D.G.P.-R.

Petition for Writ of Certiorari DENIED. EN BANC.
