

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, AUGUST 15, 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.

ORIGINAL PROCEEDINGS

[22SA171](#) In Re the Marriage of Elisabeth Weber and Christopher Weber
Order issued August 11, 2022

[22SA256](#) In Re Adams County v. Culpepper, Lisa
Order to Show Cause issued August 10, 2022

GRANTED PETITIONS FOR WRIT OF CERTIORARI

No. 22SC37, Court of Appeals Case No. 19CA2117

Petitioner:

Brett Thomas Little,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari GRANTED. The judgment of the Colorado Court of Appeals is vacated, and the case is remanded to the Colorado Court of Appeals for reconsideration in light of *Tibbels v. People*, 20SC22, 2022 CO 1. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 22SC348, Court of Appeals Case No. 21CA659

Petitioner/Cross-Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

Jay.J.L. and Jac.J.L.,

and

Petitioner/Cross-Respondent:

Jay.J.L. and Jac.J.L., children,

v.

Respondent/Cross-Petitioner:

J.M.G.,

and

Respondent:

B.J.L.

Petitions and Cross-Petition for Writ of Certiorari GRANTED. EN BANC.

Whether the court of appeals erred in its analysis of section 19-1-126, C.R.S. (2021), and 25 C.F.R. section 23.107(a) and in concluding the Department had not exercised due diligence in gathering information to determine whether the child was an Indian child.

Whether the court of appeals erred in declining to follow the analysis of a separate division in *People in Interest of E.M.*, 2021 COA 152, 507 P.3d 113, which held that a parent disclosing Native American heritage through a specific tribe was sufficient to give a juvenile court “reason to know” the child is an Indian child, thus triggering ICWA’s notice provisions.

DENIED AS TO ALL OTHER ISSUES.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 21SC800, Court of Appeals Case No. 20CA971

Petitioners:

Rick Warren, Jan Warren, June Colosimo, John Colosimo, Tom Pederson, Monica Pederson, Gene Admire, Diann Admire, Paul Ewing, Korene Ewing, and Donna Marie,
v.

Respondents:

The City of Grand Junction Colorado, GJ Ute LLC, and 26 Road LLC.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC801, Court of Appeals Case No. 20CA25

Petitioner:

Qwest Corporation,
v.

Respondents:

Stuart Kritzer and Janet Kritzer.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC852, Court of Appeals Case No. 18CA2056

Petitioner:

Marisa Gail Garrett,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC865, Court of Appeals Case No. 20CA865

Petitioner:

Ray Brien,
v.

Respondent:

Premises Parker Warehouse Condominium Association, Inc.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 21SC874, Court of Appeals Case No. 18CA2270

Petitioner:

Guadalupe Baldivia,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC889, Court of Appeals Case No. 17CA1844

Petitioner:

Cruz Frederick Baca,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC890, Court of Appeals Case No. 18CA1321

Petitioner:

Nolen Alfonso Granderson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC891, Court of Appeals Case No. 17CA1375

Petitioner:

Robert Garcia,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 21SC893, Court of Appeals Case No. 19CA764

Petitioner:

Randy Gene McAllister,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.
JUSTICE BERKENKOTTER does not participate.

No. 21SC896, District Court, City and County of Denver 20CV455

Petitioner:

Mehdi Amiri,

v.

Respondent:

Jorge Guerra Yalan.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC899, Court of Appeals Case No. 18CA2190

Petitioner:

Felicia Gail Lewis,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC908, Court of Appeals Case No. 19CA842

Petitioner:

Fredrick Edward McCammon, II,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 21SC911, Court of Appeals Case No. 18CA905

Petitioner:

Jeffery Dell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC912, Court of Appeals Case No. 19CA2041

Petitioner:

James Johnson,

v.

Respondent:

Department of Safety for the City and County of Denver.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR would grant as to the following issue:

[REFRAMED] Whether the Board abused its discretion by substituting its own evidentiary or intermediate findings of fact, either where the Hearing Officer hadn't made findings on the underlying issue or had made findings supported by substantial evidence, despite the Board's own rules and precedent, Career Service Rules, and judicial precedent.

No. 21SC914, Court of Appeals Case No. 20CA346

Petitioner:

First Transit, Inc.,

v.

Respondent:

City of Colorado Springs, Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 21SC918, District Court, City and County of Denver Case Nos. 18CV31264 & 18CV31265

Petitioner:

Regina Drexler,

v.

Respondent:

Rachel Brown.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC922, District Court, City and County of Denver Case No. 20CV30988

Petitioner:

Damian Williams,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC923, Court of Appeals Case No. 18CA2271

Petitioner:

Jason Matthew Kover,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC925, Court of Appeals Case No. 18CA2300

Petitioner:

Che Bachicha,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

**No. 21SC932, Court of Appeals Case No. 18CA1728
In re the Estate of Roosevelt Turnbough, deceased.**

Petitioner:

Gladys Jones Turnbough,

v.

Respondent:

Jahlanece Hayes, as the Personal Representative of the Estate of Roosevelt Turnbough.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC935, Court of Appeals Case No. 15CA1266

Petitioner:

James Parks,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC936, Court of Appeals Case No. 19CA142

Petitioner:

Kelly Christopher Etheridge,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 21SC945, Court of Appeals Case No. 18CA1876

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Maria Concepcion Montoya.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 21SC948, Court of Appeals Case No. 19CA1949

Petitioner:

Bruce Hayes Bell,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC957, Court of Appeals Case No. 18CA957

Petitioner:

Timothy Mark Goff,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC9, Court of Appeals Case No. 18CA734

Petitioner:

Scott Eddins,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 22SC14, Court of Appeals Case Nos. 19CA1784 & 19CA2177

Petitioner:

Joe L. Silver,

v.

Respondents:

S&D Law, Steve Kelly, and Gary Blum.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 22SC23, Court of Appeals Case No. 15CA40

Petitioner:

Randy D. Tallent,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC31, District Court, City and County of Denver Case No. 21CV30960

Petitioner:

City and County of Denver,

v.

Respondent:

Braedan Kyler Weart.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC38, Court of Appeals Case No. 20CA1704

In re the Marriage of

Petitioner:

Suyong Yvonne Jenerette,

and

Respondent:

Jordan Schanche.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC42, Court of Appeals Case No. 17CA1632

Petitioner:

Sababu Colbert-Evans,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 22SC57, Court of Appeals Case No. 19CA504

Petitioner:

Gabriel Faudoa,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC93, Court of Appeals Case No. 19CA1623

Petitioner:

Raymond Michael Palomino,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 22SC101, Court of Appeals Case No. 17CA2215

Petitioner:

James Robert Gilbertson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE BERKENKOTTER does not participate.

No. 22SC111, Court of Appeals Case No. 20CA746

Petitioners:

Matrix Group, Inc. and Waterpark II & III, LLC,

v.

Respondent:

George Hodge.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 22SC121, Eagle County District Court Case No. 21CV30112

Petitioner:

Chad Cunningham,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC125, Court of Appeals Case No. 21CA631

Petitioner:

Shayanna Burton,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC126, Court of Appeals Case No. 17CA187

Petitioner:

Harold Nakai,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC129, Court of Appeals Case No. 19CA1574

Petitioner:

Angel Sandoval,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022*

No. 22SC137, Court of Appeals Case No. 18CA1691

Petitioner:

Pedro Gonzalez,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC142, Mesa County District Court Case No. 21CV30116

Petitioner:

Jessica Compton,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC145, Court of Appeals Case No. 19CA1135

Petitioner:

Christopher Wayne Debusk,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC149, Court of Appeals Case No. 19CA1383

Petitioner:

Andrew Solazzo,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 22SC169, La Plata County District Court Case No. 20CV30158

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Mallory Alice Shumway.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT would grant as to the following issue:

Whether the county court abused its discretion by suppressing the results of a chemical breath test where defendant voluntarily changed her choice of test due to the non-coercive suggestion made by the arresting officer after a jail nurse was unable to obtain a blood sample from defendant's person.

No. 22SC195, Court of Appeals Case No. 19CA914

Petitioner:

Chad Molten Thompson,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC334, Court of Appeals Case No. 19CA1796

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

C.A.H.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 22SC418, Court of Appeals Case No. 21CA1402

Petitioner:

B.L.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

P.I.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC427, Court of Appeals Case No. 21CA586

Petitioner:

B.L.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

P.I.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC465, Court of Appeals Case No. 21CA1140

Petitioners:

A.G. a/k/a A.A. and S.W., Jr.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

S.A.W.

Petitions for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 22SC467, Court of Appeals Case No. 21CA1435

Petitioner:

K.C.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

E.B.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC498, Court of Appeals Case No. 21CA1772

Petitioner:

A.H.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

D.H.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC505, Court of Appeals Case No. 21CA452

Petitioner:

J.T.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

R.G.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS
MONDAY, AUGUST 15, 2022

No. 22SC507, Court of Appeals Case No. 21CA1330

Petitioner:

J.L.S.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Children:

C.J.S. and N.J.S.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 22SC508, Court of Appeals Case No. 21CA1592

Petitioner:

J.M.,

v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

L.M.S.,

and Concerning

L.M.S.

Petition for Writ of Certiorari DENIED. EN BANC.
