

**CASE ANNOUNCEMENTS  
COLORADO SUPREME COURT  
MONDAY, MARCH 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.

---

---

**OPINIONS**

---

**[2021 CO 18](#)**

---

**Supreme Court Case No. 20SA336**  
*Interlocutory Appeal from the District Court*  
El Paso County District Court Case No. 20CR1276  
Honorable Erin L. Sokol, Judge

---

**Plaintiff-Appellant:**

The People of the State of Colorado,

v.

**Defendant-Appellee:**

Jose Padilla, Jr.

---

**Order Reversed**  
*en banc*

**CHIEF JUSTICE BOATRIGHT** delivered the Opinion of the Court.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

---

---

**ORIGINAL PROCEEDINGS**

- [21SA85](#) In Re People v. Sherwood, Ian  
Rule to Show Cause issued on March 12, 2021
- [21SA86](#) In Re Castelan, Rizo, Rigoberto v. Rodriguez San Miguel, Jose  
Rule to Show Cause issued on March 15, 2021
- [21SA87](#) In Re Winninger, Lindsay v. Kirchner, Doris  
Rule to Show Cause issued March 16, 2021

**GRANTED PETITION FOR WRIT OF CERTIORARI**

**No. 20SC430, Court of Appeals Case No. 16CA244**

**Petitioner/Cross-Respondent:**

The People of the State of Colorado,  
v.

**Respondent/Cross-Petitioner:**

Jose Ornelas-Licano.

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

Whether the court of appeals erred in adopting the Sixth Circuit’s red flag checklist for discerning the reliability of scientific-based expert testimony and extending it to experience-based expert testimony to override the trial court’s admission of an expert’s opinion that the shapes of bullet holes through glass are indicative of the angle from where the shots were fired.

---

**COLORADO SUPREME COURT CASE ANNOUNCEMENTS**

---

---

**HELD PETITIONS FOR WRIT OF CERTIORARI**

20SC647, Deaguero v. People

Held pending 19SC249, *People v. Cooper* and 19SC485, *People v. Coons*.

**DENIED PETITIONS FOR WRIT OF CERTIORARI**

**No. 20SC627, Court of Appeals Case No. 17CA219**

**Petitioner:**

The People of the State of Colorado,

v.

**Respondent:**

Mark Antonio Lewis.

Petition for Writ of Certiorari DENIED. EN BANC.

JUSTICE SAMOUR would grant as to the following issue:

Whether a defendant's actions in arming himself with a deadly weapon and angrily confronting and killing an older, unarmed housemate in the middle of the night justify instructing a jury on the initial aggressor limitation to self-defense.

---

**No. 20SC795, Court of Appeals Case No. 19CA450**

**Petitioners:**

Robert Lindow, Sindy Lindow, Robert Jensen, Traci Jensen, Brett Forman, Amber Shelly, Kendra L. Carberry, and Christopher A. Davidson,

v.

**Respondent:**

Board of Commissioners for the County of Boulder, Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

---

---

**No. 20SC843, Court of Appeals Case No. 18CA1178**

**Respondent:**

The People of the State of Colorado,

v.

**In the Interest of**

**Petitioner:**

I.J.A.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC949, Montezuma County District Court Case No. 20CV30014**

**Petitioner:**

Erik Genaw,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC953, Court of Appeals Case No. 20CA210**

**Petitioner:**

Kent Vu Phan,

v.

**Respondent:**

National Jewish Health.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC954, Court of Appeals Case No. 19CA413**

**Petitioner:**

Shaun Edward Payne,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

---

---

**No. 20SC955, Court of Appeals Case No. 19CA1384**

**Petitioner:**

Craig Robledo-Valdez,

v.

**Respondent:**

Larry Kelly.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC961, Court of Appeals Case No. 19CA1341**

**Petitioner:**

Louis Peoples, Jr.,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC962, Ouray County District Court Case No. 20CV5**

**Petitioner:**

David J. Gottorff,

v.

**Respondent:**

Shannon Marjenhoff.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC967, Court of Appeals Case No. 18CA570**

**Petitioner:**

Miguel Angel Diaz-Martinez,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

---

---

**No. 20SC973, Court of Appeals Case No. 18CA1442**

**Petitioner:**

Mustafa J. Ujaama,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC982, Court of Appeals Case No. 18CA439**

**Petitioner:**

William Kent Montgomery,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 20SC985, Court of Appeals Case No. 19CA499**

**Petitioner:**

Devante Charvezz Jones,

v.

**Respondent:**

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

---

**No. 21SC132, Court of Appeals Case No. 20CA1274**

**Petitioner:**

J. L., Sr.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

J. L.

Petition for Writ of Certiorari DENIED. EN BANC.

---

*COLORADO SUPREME COURT CASE ANNOUNCEMENTS*

---

---

**No. 21SC134, Court of Appeals Case No. 20CA1225**

**Petitioner:**

M. I. T., Jr.,

v.

**Respondent:**

The People of the State of Colorado,

**In the Interest of Minor Child:**

C. A. W.

Petition for Writ of Certiorari DENIED. EN BANC.

---