

**CASE ANNOUNCEMENTS
COLORADO SUPREME COURT
MONDAY, JUNE 14, 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 46**](#)

Supreme Court Case No. 20SA240
Original Proceeding Pursuant to C.A.R. 21
Arapahoe County District Court Case No. 19CR1357
Honorable Andrew Baum, Judge

**In Re
Plaintiff:**

The People of the State of Colorado,

v.

Defendant:

Delbert Ray Vigil.

Rule Made Absolute
en banc

CHIEF JUSTICE BOATRIGHT delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 47](#)

Supreme Court Case No. 21SA87
Original Proceeding Pursuant to C.A.R. 21
Eagle County District Court Case No. 17CV30102
Honorable Russell H. Granger, Judge

**In Re
Plaintiffs:**

Lindsay Winninger, an individual; and Sports Rehab
Consulting LLC, a Colorado limited liability company,

v.

Defendants:

Doris Kirchner, an individual; and Vail Clinic, Inc. d/b/a Vail
Valley Medical Center, a Colorado nonprofit corporation,

and

Third-Party Plaintiff:

Vail Clinic, Inc. d/b/a Vail Valley Medical Center,
a Colorado nonprofit corporation,

v.

Third-Party Defendant:
David J. Cimino, an individual.

Rule Made Absolute
en banc

JUSTICE GABRIEL delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 48](#)

Supreme Court Case No. 19SC553
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 18CA1154

Petitioner:

Carmen Nieto,

v.

Respondent:

Clark's Market, Inc.

Judgment Reversed
en banc

JUSTICE HART delivered the Opinion of the Court.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 49](#)

Supreme Court Case No. 20SA375
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 09CR2924
Honorable Ross B.H. Buchanan, Judge

In Re

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Michael Anthony Manaois.

Rule Made Absolute

en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
CHIEF JUSTICE BOATRIGHT dissents, and **JUSTICE HART** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 50](#)

Supreme Court Case No. 20SA423
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 11CR2046
Honorable Edward D. Bronfin, Judge

In Re

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Patrick S. Keen.

Rule Made Absolute

en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
CHIEF JUSTICE BOATRIGHT dissents, and **JUSTICE HART** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[**2021 CO 51**](#)

Supreme Court Case No. 20SA373
Original Proceeding Pursuant to C.A.R. 21
District Court, Arapahoe County, Case No. 17CR2549
Honorable Ben L. Leutwyler III, Judge

In Re

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Albert Levern Lowe.

Rule Discharged in Part and Made Absolute in Part
en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
CHIEF JUSTICE BOATRIGHT dissents, and **JUSTICE HART** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 52](#)

Supreme Court Case No. 20SA421
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 15CR4330
Honorable Kenneth M. Laff, Judge

In Re

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Eric A. Coleman.

Rule Made Absolute

en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
CHIEF JUSTICE BOATRIGHT dissents, and **JUSTICE HART** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

[2021 CO 53](#)

Supreme Court Case No. 20SA422
Original Proceeding Pursuant to C.A.R. 21
District Court, City and County of Denver, Case No. 11CR5249
Honorable Edward D. Bronfin, Judge

In Re

Plaintiff:

The People of the State of Colorado,

v.

Defendant:

Jaylen Rainey.

Rule Made Absolute

en banc

JUSTICE SAMOUR delivered the Opinion of the Court.
CHIEF JUSTICE BOATRIGHT dissents, and **JUSTICE HART** joins in the dissent.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

DENIED PETITIONS FOR WRIT OF CERTIORARI

No. 20SC966, Court of Appeals Case No. 19CA621

Petitioners:

TABOR Foundation, Colorado Union of Taxpayers Foundation, Rebecca R. Sopkin, and James S. Rankin,

v.

Respondents:

Colorado Department of Health Care Policy and Financing; Colorado Healthcare Affordability and Sustainability Enterprise; Kim Bimestefer, in her official capacity as Executive Director of the Colorado Department of Health Care Policy and Financing; Colorado Department of the Treasury; Dave Young, in his official capacity as Colorado State Treasurer; State of Colorado; and Colorado Hospital Association.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC7, Court of Appeals Case No. 18CA1938

Respondent:

The People of the State of Colorado,

In the Interest of

Petitioner:

C. V. G.- S.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC53, Court of Appeals Case No. 17CA165

Petitioner:

The People of the State of Colorado,

v.

Respondent:

John Melvin White.

Petition for Writ of Certiorari DENIED. EN BANC.

CHIEF JUSTICE BOATRIGHT and JUSTICE SAMOUR would grant as to the following issue:

Whether the court of appeals erred in holding that the trial court violated defendant's Sixth Amendment right to autonomy by allowing defense counsel, over defendant's objection, to concede his guilt to negligent child abuse resulting in death, as a lesser-included offense of knowing or reckless child abuse resulting in death, where defendant had agreed to conceding his guilt to criminally negligent homicide, as a lesser-included offense of first degree murder.

No. 21SC83, Court of Appeals Case No. 19CA863

Petitioner:

Zachariah Gabani,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC117, Court of Appeals Case No. 18CA1492

Petitioner:

Sharmane Valerie Trout,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC156, Court of Appeals Case No. 18CA2301

Petitioner:

Michael J. Seaney,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC158, Court of Appeals Case No. 19CA2300

Petitioner:

Thomas C. Neilsen,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC160, Court of Appeals Case No. 20CA339

Petitioner:

Juvencia Townsend-Ingram,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC165, Court of Appeals Case No. 18CA998

Petitioner:

Moises Godoy,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC172, Court of Appeals Case No. 18CA1293

Petitioner:

Jay Harvey,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC184, Court of Appeals Case No. 18CA708

Petitioner:

Edward Steven Allen,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC189, Court of Appeals Case No. 18CA2387

Petitioner:

Christopher Michael Bass,

v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

COLORADO SUPREME COURT CASE ANNOUNCEMENTS

No. 21SC190, Court of Appeals Case No. 19CA882

Respondent:

The People of the State of Colorado,
In the Interest of

Petitioner:

G.R.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC192, Court of Appeals Case No. 18CA1740

Petitioner:

Shawnee Kim Ryan,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC201, Adams County District Court Case No. 20CV31355

Petitioner:

Steven Driver,
v.

Respondent:

The People of the State of Colorado.

Petition for Writ of Certiorari DENIED. EN BANC.

No. 21SC367, Court of Appeals Case No. 20CA1841

Petitioner:

E. R. G.,
v.

Respondent:

The People of the State of Colorado,

In the Interest of Minor Child:

G. H. G.

Petition for Writ of Certiorari DENIED. EN BANC.
