

Supreme Court of the State of Colorado
101 West Colfax Avenue, Suite 800 • Denver, Colorado 80202

2012 CO 16

Supreme Court Case No. 10SC15
Certiorari to the Colorado Court of Appeals
Court of Appeals Case No. 06CA2230

Petitioner:

Richard Allen Scoggins,

v.

Respondent:

The People of the State of Colorado.

Judgment Affirmed Without Opinion

March 5, 2012

Attorneys for Petitioner:

Douglas K. Wilson, Public Defender

Ellen Kay Eggleston, Deputy Public Defender

Denver, Colorado

Attorneys for Respondent:

John W. Suthers, Attorney General

Clemmie Parker Engle, Assistant Attorney General

Denver, Colorado

PER CURIAM

JUSTICE MÁRQUEZ does not participate.

¶1 Justice Hobbs, Justice Rice, and Justice Eid are of the opinion that the judgment of the court of appeals, People v. Scoggins, 240 P.3d 331, 334 (Colo. App. 2009), should be affirmed, whereas Chief Justice Bender, Justice Coats, and Justice Boatright are of the opinion that it should be reversed.

¶2 Because the court is equally divided, the decision of the court of appeals is affirmed by operation of law. See C.A.R. 35(e).

JUSTICE MÁRQUEZ does not participate.