

2023SC168 (40 MINS.)

Petitioner:

Audrey Lee Tennyson,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Lisa Weisz
OFFICE OF THE PUBLIC DEFENDER

For Respondent:

Frank R. Lawson
OFFICE OF THE ATTORNEY GENERAL

**For Amicus Curiae Office of the Alternate
Defense Counsel:**

John Patridge
James Albert Kelly
Nicholas Venable
GIBSON DUNN & CRUTCHER LLP

For Amicus Curiae Tnias Pike:

Tnias Pike, pro se

Certiorari to the Colorado Court of Appeals, 2020CA646

Docketed: March 09, 2023

At Issue: June 04, 2024

ISSUE(S):

Whether a postconviction challenge to the timeliness of a restitution order is cognizable as an illegal sentence claim under Crim. P. 35(a).

2023SC775 (40 MINS.)

Petitioner:

Shaun Jeff Snow,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Tillman Clark
TILLMAN PATRICK CLARK LLC

For Respondent:

Brock J. Swanson
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2021CA2074

Docketed: October 24, 2023

At Issue: September 23, 2024

ISSUE(S):

Whether a postconviction challenge to the timeliness of a restitution order is cognizable as an illegal sentence claim under Crim. P. 35(a).

Whether the court of appeals erred in relying on *People v. Tennyson*, instead of *People v. Weeks*, in denying Snow's restitution claim.

2023SC525 (1 HOUR)

Petitioner/Cross-Respondent:

Darryl Cornelius Johnson,

v.

Respondent/Cross-Petitioner:

The People of the State of Colorado

For the Petitioner/Cross-Respondent:

Mackenzie R. Shields
OFFICE OF THE PUBLIC DEFENDER

For the Respondent/Cross-Petitioner:

Frank R. Lawson
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2021CA669
Docketed: July 19, 2023
At Issue: October 10, 2024

ISSUE(S):

Whether the division's opinion violated this court's holding in *People v. Weeks*, 2021 CO 75.

Whether the division correctly defined "available" under the restitution statute.

Whether the prosecution's timeline for presenting a restitution motion is non-jurisdictional in nature and, thus, subject to both waiver and, if necessary, a prejudice analysis.

Whether defendant waived his present challenge to the timeliness of the prosecution's restitution motion to gain the benefit of his plea agreement.

Alternatively, whether the alleged violation should be rejected as harmless under the facts of this case.

2023SC583 (40 MINS.)

Petitioner:

Zachary Eugene Babcock,

v.

Respondent:

The People of the State of Colorado.

For the Petitioner:

Jessica A. Pitts
OFFICE OF THE PUBLIC DEFENDER

For the Plaintiff:

Marixa Frias
OFFICE OF THE ATTORNEY GENERAL

Certiorari to the Colorado Court of Appeals, 2020CA1678
Docketed: August 09, 2023
At issue: October 14, 2024

ISSUE(S):

Whether, under *People v. Weeks*, 2021 CO 75, a restitution order must be vacated where the court failed to enter a restitution order within ninety-one days after the order of conviction and failed to make an explicit good cause finding to extend the deadline.

Whether the ninety-one-day deadline to enter a restitution order is jurisdictional and cannot be waived.

Whether, even if the ninety-one-day deadline to enter a restitution order is not jurisdictional, a defendant may waive the court's obligation to timely impose restitution by objecting to the amount of restitution and requesting a hearing.

2023SC622 (40 MINS.)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Jessica Jo Roberson.

For the Petitioner:

Brittany Limes Zehner
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

James S. Hardy
OFFICE OF THE PUBLIC DEFENDER

**For Amicus Curiae Rocky Mountain Victim
Law Center:**

Matthew Beresky
Justin Summers
ROCKY MOUNTAIN VICTIM LAW CENTER

Certiorari to the Colorado Court of Appeals, 2021CA1713
Docketed: August 21, 2023
At Issue: September 23, 2024

ISSUE(S):

Whether a defendant invites error or waives a claim that their restitution order must be vacated due to statutory procedural violations when they agree to pay restitution in their plea agreement, object to a timely restitution request and order, and request and expressly agree to a restitution hearing set beyond the ninety-one-day statutory deadline.

If not waived or invited, whether an appellate court can affirm a restitution order where a violation of the restitution statute's procedural requirements is harmless.

2024SA46 (1 HOUR)

Petitioner-Appellant:

Holcim U.S. Inc.,

v.

Respondents-Appellees:

Colorado Public Utilities Commission, Eric Blank,
Megan M. Gilman, and John Gavan,

and

Intervenors-Appellees:

Black Hills Colorado Electric LLC and Office of
the Utility Consumer Advocate.

For the Petitioner-Appellant:

Mark T. Valentine
KEYES & FOX LLP

For Respondents-Appellees:

Paul C. Gomez
Alex J. Acerra
OFFICE OF THE ATTORNEY GENERAL

**For Intervenor-Appellee Black Hills Colorado
Electric LLC:**

Emanuel T. Cocian
Greg E. Sopkin
BLACK HILLS CORPORATION
and
Elizabeth M. Brama
Valerie T. Herring
TAFT STETTINIUS & HOLLISTER LLP

**For Intervenor-Appellee Office of the Utility
Consumer Advocate:**

Gregory E. Bunker
Thomas F. Dixon
OFFICE OF THE ATTORNEY GENERAL

Appeal from the District Court, City and County of Denver, 2022CV30911
Docketed: February 09, 2024
At Issue: August 15, 2024

ISSUE(S):

Does the Commission set an unjust and unreasonable charge for electricity provided over a five-day period, in violation of section 40-3-101, C.R.S., when the charge has no relationship to electricity used by the customer and disproportionately allocates utility costs to one customer?

Does the Commission commit a taking in violation of the Fifth Amendment when it sets an excessive charge for a customer without evidence that the charge reflects the service rendered by the utility?

2023SC565 (40 MINS.)

Petitioner:

Board of Governors of the Colorado State University

v.

Respondent:

Renee Alderman.

For the Petitioner:

Michael D. McMaster
Jennifer H. Hunt
Kathleen L. Spalding
Erica Weston
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Igor Raykin
Michael J. Nolt
KISHINEVSKY & RAYKIN LLC

Certiorari to the Colorado Court of Appeals, 2020CA1565
Docketed: July 31, 2023
At Issue: August 26, 2024

ISSUE(S):

Whether a student can assert a claim for unjust enrichment based on CSU's campus closure where the relationship between CSU and its students is governed by a contract that permits CSU to close campus in the presence of a fatal disease.

2023SC605 (1 HOUR)

Petitioner:

The People of the State of Colorado,

v.

Respondent:

Kenneth Alfonso Gallegos.

For the Petitioner:

Brenna A. Brackett
OFFICE OF THE ATTORNEY GENERAL

For the Respondent:

Michael P. Zwiebel
SPRINGER AND STEINBERG PC

Certiorari to the Colorado Court of Appeals, 2021CA976
Docketed: August 16, 2023
At Issue: August 26, 2024

ISSUE(S):

Whether the division erred in concluding that a defendant need not be compelled to admit the predicate felony to raise the statutory felony murder affirmative defense when the evidence conflicted as to whether the defendant was involved in the predicate felony.
